

HOWNIIKAN

PEOPLE OF THE FIRE



Vol. 23, No. 2

Citizen Potawatomi Nation

February 2001

Tribal resolution ruled unconstitutional

In a landmark decision, Chief District Judge Phillip Lujan ruled Feb. 20 that the Citizen Potawatomi Nation has three branches of government with "checks and balances" between the branches.

In his ruling in a lawsuit brought jointly by the Business Committee and Tribal Chairman John Barrett, Lujan ruled that Resolution 01-01 violated Article 6, Section 2 of the Constitution of the Citizen Potawatomi Nation. The Resolution sought to impose control of tribal administration by the Business Committee by denying the Chairman the authority and compensation of the position previously called "Tribal Administrator." Barrett asserted that Article 6, Section 2 of the Constitution, which says "The Chairman shall have general supervision of the affairs of the Council and of the Business Committee," automatically makes him the "Tribal Administrator" if that position described the person who runs the day to day operations of the tribe.

Judge Lujan heard arguments that the Business Committee's authority is limited by the language in Article 7, Section 2 which says "Subject to limitations in this Constitution ... and except for powers delegated to other entities by this Constitution, the Business Committee speaks and acts for the Nation." He agreed that this language gave authority to the Chairman to run the day to day business

of the Tribe with limitations.

Additional Tribal Resolutions that were ruled unconstitutional in

temporary orders until the formal written opinion is issued were Resolution 01-45 and 0-46. The first of these, Resolution 01-45, denied the Tribal Chairman the authority to hire and fire certain employees, and Resolution 01-46 imposed Business Committee rules on the Chairman relating to signing tribal payroll checks. Again, Judge Lujan used the phrase in Article 6, Section 2, which gives the Chairman, or his delegate, the authority to exercise "general supervision of the affairs of the Council and of the Business Committee" as the basis for his ruling.

All three resolutions had been approved by 4-1 votes of the Business Committee, with Vice Chairman Linda Capps, Secretary-Treasurer Gene Bruno and Committeemen Hilton Melot and Jerry Paul Motley voting in favor and Barrett voting against. The issues were appealed to tribal court last summer.

At the Feb. 20 hearing, Lujan ruled that "the chairman is delegated by the (Potawatomi) Constitution the authority to run the tribe on a day to day basis," citing a separation of powers intended by the tribal constitution. He said he was

This is just a moment in time - (it) goes beyond today and beyond the individuals that are involved'

- Judge Phil Lujan

issuing the partial ruling immediately "to keep the order," although he stressed that his concern is for the future of the tribe.

"This is just a moment in time," Lujan said at the conclusion of the hearing. "This is hard work. This is difficult. This is going through, word by word, every single word in the Constitution and trying to arrive at an interpretation that serves the interest of the Nation beyond today and beyond the individuals that are involved." Lujan said that one of the weaknesses of Indian people is to "tend to see things in embodiments of people ... I am looking at all of this. I am not looking at this for the people that are involved now."

Lujan ruled that the Business Committee's authority is legislative. "The Business Committee has the authority to legislate to create personnel policies and procedures and in general how you hire and fire—the process—they legislate the process ... then the Chairman acts within that law." Attempting to circumvent that process "is what I in slang call 'hot wiring' your way around a bad law or a bad rule. As Indians we love to 'hot wire' around bad rules because we say 'it is the result that counts' ... the process is more important than result ... If the process is bad, change the process. Don't change the

result."

Barrett's attorney, Charles Tripp, had argued that the Constitution gives the chairman supervisory powers and that the Business Committee cannot "use the purse strings of the tribe to deny a tribal entity their Constitutional powers." As an example, he asked what would happen if the Business Committee "refused to fund the Election Committee to conduct a recall election that was mandated by the Tribal Court?" Tripp said the controversy over the chairman's powers has left "people who are working here confused ... this is not needed by this tribe. This tribe has been doing a great job... it is one of the success stories as far as other tribes looking in at this."

Tripp called the sole witness in the case, Ross Swimmer, to bolster the argument of separation of powers and the intent of the Constitution. Swimmer, a former chief of the Cherokee Nation, was serving in the Office of Assistant Secretary for Indian Affairs of the U.S. Department of the Interior in 1986 when the Potawatomi Constitution was being written and adopted. One of his duties in that office was to review such documents for proper form and legal construction. His signature is on the Potawatomi Constitution.

Swimmer testified that the office "generally favored constitutions that

Continued On Page 3



Election Season

Members of the 2001 Citizen Potawatomi Nation Election Committee were recently sworn in by Tribal Chairman John A. "Rocky" Barrett (right). Pictured from left are Harold Trousdale, Gary Bourbonnais, Don Yott, David Bourbonnais and Carrie Kieffer. Filing dates for the June 30 election are April 2, 3 and 4.

CITIZEN POTAWATOMI NATION REQUEST FOR BALLOT • 2001 ELECTION

To comply with the 2000 Citizen Potawatomi Nation Election Ordinance, please complete this form and return to: Potawatomi Election Committee, P.O. Box 310, Tecumseh, OK 74873

DEADLINE: JUNE 11, 2001

NAME: _____ DATE OF BIRTH: _____

ADDRESS: _____

CITY, STATE & ZIP: _____

Under penalty of perjury, I hereby declare this to be my legal signature and Citizen Potawatomi Nation Tribal Roll Number:

SIGNATURE: _____ TRIBAL ROLL #: _____



Cut This Out & Return

TRIBAL TRACTS

Walking on ...

Vincent Dewitt Smith

Vincent Dewitt Smith, 72, died of a brain tumor, Thursday, January 25, 2001, in Olympia, Washington.

He was born November 16, 1928, in Oklahoma City, Oklahoma. He was a member of the Citizen Potawatomi Nation. Dr. Smith received his Indian blood from his father Frank C. Smith (Anderson) and his mother Teresa Copough (LaFromboise).

He married his wife of 49 years, Erma May Rusaw, August 1, 1952 in Newberg, Oregon where he was ordained to the Christian ministry that same year.

Dr. Smith was a minister, an educator, and a student. He loved to sing and sang many solos for church and memorials for friends. He enjoyed reading, studying, riding their tandem bicycle, hiking, flying kites, gardening, and most of all teaching and preaching.

He is survived by his wife, Erma of Lacey, Washington; a son, Timothy Frank Smith of Santee, California; a grandson, Shaun Smith also of Santee, California. He was preceded in death by his mother and father; two brothers, Francis C. Smith and Carl V. Morris; and one sister, Elizabeth (Morris) Burdett.

Eddie Ray Keesee

Eddie Ray Keesee, passed away February 16, 2001 in Oklahoma City, OK

of a sudden illness.

He was born July 9, 1974, in Oklahoma City to Eddie and Becky (Andes) Keesee. He enjoyed family, friends, horses, and good times. He will be greatly missed.

He was a member of the Citizen Potawatomi Nation and a descendent of Sophia Rayfield and Kenneth E. Keesee. He was preceded in death by his grandparents, Sally Hill, Bill Andes and Kenneth Keesee.

Survivors include his parents, Eddie and Becky Keesee; sister, Kyra and her fiancé Glenn Smith; niece, Ereka all of Oklahoma City; grandparents, Wanda and Bob Stevens of Newcastle; aunts and uncles, Ray and Kathy Keesee, Jean and Dale Buckles of Moore, Gail and Bonnie Bussell of Oklahoma City, Doug and Pat Andes, Tommy and Ann Andes, and Joey Andes all of Florida; great aunts and uncles, Coy and Allena Keesee, Alfred and Gayle Keesee, of Wanette, Katherine and John Curry of Oklahoma City, Barbara Norris of Tulsa, Ludy Brooks of Asher, Keith and Carol Andes of Purcell. Eddie had a special relationship with all of his cousins and friends, Dana Dustin, Joey, Lance, Travis, Shane, and many others too numerous to mention.

Memorial services were held February 23, 2001 at Eastern Avenue Baptist Church in Moore, OK, with Pastor J.R. Hall officiating. Services were under the direction of John M. Ireland Funeral Home & Chapel, Moore, OK.



Potawatomi Beauty

Crystal Wano, 15, a proud member of the Citizen Potawatomi Nation, was selected to represent Bloomington, Illinois in the 2001 Miss Illinois Teen USA Pageant. The pageant was held in downtown Schaumburg, Illinois, on the weekend of November 24-26. Crystal, semi-finalist in the pageant, is the daughter of Shirley Wheeler, Bloomington, Illinois, and Roy Wano, Shawnee, Oklahoma. Crystal is a sophomore at McLean County Christian High School. She is on the Principals and Teachers Honor Rolls, has a perfect attendance and hopes to become a marine biologist and veterinarian.

Whereabouts Unknown

Anyone knowing the whereabouts of the individuals listed below are asked to contact Carol Haney in our Realty Department. They have inherited trust property and may have income pending. This is a partial list and another will be in next month's HowNiKan.

Michael Nelson Abbot
Phillip Grayson Abbot
Henrietta Lucille Allen
Leslie Roy Archdale
Merlin Frank Archdale
Warren Evan Archdale
Wanda Ray Kime Davis Baker
Juanelle Brant Beauford
James Craig Burnett
Alston P. Cameron
Viola Wolfe Cavendar
Glenna S. Revard Choice
Rose Marie Allen Cobb
William Francis Cook, Jr.
Eugene E. Copeland
Leroy Everett Copeland
Loey Elizabeth Brant Coppage
Gregory Russell Daiker
Eldon Darnell
Joetta Darnell
Ann Marie Dillard
Sharon L. Copeland Dove
Mary Elizabeth Crane Doyle
Dwight Blaine Drake
Phyllis Lynn Pahmahmie Dunn
Everett Eugene Eby
Geraldine Eteeyan
William Eteeyan, Jr.
Mary Newberry Flynn
Patricia A.P. Foughty
Cynthia Ida Fox
Nancy Marie Tasier Gatewood
Wilma (Zella Ateka) Allen Grass
Paul Damian Guyon
Barbara Eteeyan Green

HOW-NI-KAN

PEOPLE OF THE FIRE

The HowNiKan is published by the Business Committee of the Citizen Potawatomi Nation with offices at 1601 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

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All letters and submissions become the property of the HowNiKan. Editorials and letters are subject to editing and must contain a traceable address. Final selection of material for publication is subject to approval by the Business Committee.

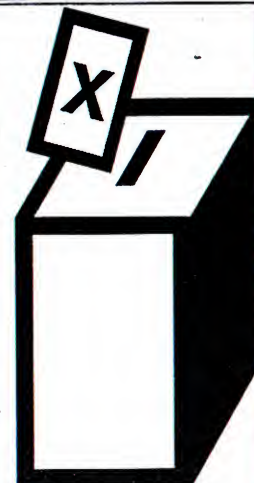
All correspondence should be directed to HowNiKan, 1601 Gordon Cooper Drive, Shawnee, Ok. 74801. Address changes should be sent to Potawatomi Tribal Rolls, 1601 Gordon Cooper Drive, Shawnee, OK 74801.

Citizen Potawatomi Nation Business Committee
Chairman - John A. "Rocky" Barrett Jr.
Vice Chairman - Linda Capps
Sec./Treasurer - Gene Bruno
Committeeman - Hilton Melot
Committeeman - Jerry P. Motley

Toll-Free Number: 1-800-880-9880
<http://www.potawatomi.org>

TRIBAL ELECTION NOTICE

The annual tribal referendum and election will be held on June 30, 2001. Voting will be at the tribal complex the day of the election from 7 a.m. until 2 p.m. Requests to vote an absentee ballot must be made by June 11, 2001. Requests for absentee ballots must be in writing and include the correct mailing address, roll number and legal signature of the person making the request. A referendum budget to determine expenditures of accumulated interest from set-aside funds, as well as the election of the Tribal Chairman for a four-year term and Grievance Committee Positions 1, 2 and 3 will be on the ballot. Requests for tribal election ballots should be mailed to: Potawatomi Election Committee, P.O. Box 310, Tecumseh, OK 74873. The filing dates for candidates in the 2001 election are April 2, 3 and 4, 2001.



DONATIONS TO THE HOW-NI-KAN

Violet LaVon Hill,
Fort Scott, KS - \$25
Maureen Christensen,
Flagstaff, AZ - \$20
Larry & Ruth Dilda,
Mesquite, TX - \$10
Ilene Odell,
Henryetta, OK - \$10
Pauline Ogee, Taft, CA - \$15

Swimmer testifies that separation of powers is crucial

Continued From Page 1

supported a separation of powers" and that the Potawatomi constitution "appears to be that way," with separate executive, legislative and judicial sections. When Tripp asked Swimmer how he would characterize the delegation of powers to each of those, tribal attorney Michael Minnis, representing the Business Committee, objected, arguing that "the Court is the determiner of the law and how it is to be interpreted and not a witness."

But Lujan allowed the testimony, noting that he was interested in "a Constitutional history to be used by the Court in aid of its interpretation." Swimmer said "we encouraged tribes to create governing documents" separating the executive and legislative branches ... the executive body would then execute the laws that were passed by the legislature ... in this case, of course, (that) would be the chairman." Without such separation, Swimmer said, "We saw this throughout Indian Country, where there wasn't a separation of power it seemed that it was very difficult to conduct business in a contemporary way."

In his oral argument, Minnis stressed that the Business Committee is "under the Constitution empowered to speak and act on behalf of the tribe and they do so by resolutions and by ordinances ... the only argument put forward by the defendant is language in the Constitution that the Chairman has general supervision powers

over the General Council and Business Committee ... the interpretation that the Business Committee is giving it would simply swallow up all powers of the Business Committee." Minnis argued that there is nothing in the Constitution providing for a salary or giving the chairman power to hire and fire, or even appoint.

Tripp responded that the General Council and the Business Committee "make up the tribe," and therefore the chairman has supervisory power over them. He noted that the Constitution requires the Business Committee to meet quarterly, "making it very difficult to handle day to day operations." "Now, they can meet more often by resolution. Resolutions have to be passed even for them to meet otherwise." Tripp said the "hint" that the Business Committee is the employer "is incorrect. The employer, per se, is the Citizen Potawatomi Nation ... And they become the employer, they are the employer, they make their selection by voting for chairman. That's who the chairman is ultimately responsible to, the people, the citizenry, not necessarily the Business Committee."

In rebuttal, Minnis argued that "the phrase general supervision does not connote the detailed supervision claimed by Barrett, nor does the word supervision connote the plenary authority Barrett claims ... essentially what the argument is is that he is above the law ... the problem is under the scenario that the defendants

have given, there is no check on the Chairman ... the Business Committee becomes virtually superfluous and this becomes a tribe that is conducted wholly by the Chairman without any checks or restraints. He can set his own salary and no one can do anything further about that. He can hire and fire tribal employees without the Business Committee having anything to say or do about that."

Lujan asked Minnis if his "general characterization would be that the Chairman position is a relatively weak position in relationship to the Business Committee."

"Absolutely," Minnis replied, adding that he believes the Constitution is "legislatively strong and a weak executive."

Among the issues addressed was control of the tribal newspaper. "Would it be an over characterization for the Court to conclude from your argument that the newsletter of the tribe is like an arm or the mouthpiece of the Chairman?" Lujan asked Tripp.

"Maybe mouthpiece is not quite what I'd want to use," Tripp replied, saying the newspaper is just another part of the day to day operations for which the chairman is responsible. "They're trying to make it sound like ... the Chairman is now one of these big floats at the Macy's Day Parade who has just gotten so much power that they are going to overtake the city. In fact what it is, is we've got, you know, someone who has power. There's no doubt about it.

But that power is restricted."

Lujan agreed, for the most part. "The Chairman is delegated by the Constitution the authority to run the tribe on a day to day basis," the judge said. "The Business Committee is not delegated that authority. Their authority is legislative." Lujan said "general supervision means overall complete supervision ... This Constitution creates a strong Chairman. And I wouldn't say a weak ... Business Committee. But I would say a strong Chairman and a Business Committee that's also strong in their legislative scope, not their administrative scope."

"Now, I do not believe the Chairman's power is unbounded," Lujan continued, stressing that the Chairman must act within the law ... henceforth, the Nation will be on notice that the Chairman is a powerful position, and they act accordingly." Recalling words he spoke at the General Council meeting last June, Lujan said the Potawatomis are "engaged in nation building. It's never easy; like all birthing process, it's painful ... the results are not always what we anticipate. But it's the necessary painful process ... if the law is bad, change the law." He then made his partial ruling and said a written opinion would follow.

Minnis, on behalf of his clients, appealed that decision, filing two notices Feb. 23, one on Resolution 01-01 and another on resolutions 01-45 and 01-46. Those appeals will be heard by the tribal Supreme Court, although no date has yet been set.

The Way To Pass A Strong Tribe Along Is To Make The Tribe Strong Today ...

Rocky Barrett Has Done That!



When most of us think about the Citizen Potawatomi Nation, we think about family. And when we think about family, we think about children. That's where the future is. That's the best reason to keep the Tribe strong, vibrant and prosperous.

The years that John A. Barrett Jr. has been chairman of the Citizen Potawatomi Nation have been progressive ones for our Tribe. In addition to providing a growing spectrum of services for the members, the Tribe has made bold and successful investments in banking, food service, entertainment, media and other fields. Now we have established the largest grocery outlet in

Oklahoma. These tribal enterprises belong to us all ... but most of all, they belong to the future. This is our insurance policy that a strong Citizen Potawatomi Nation will always be there ... for our children and grandchildren, their children and grandchildren and far beyond.

LET'S KEEP THE CHAIRMAN WHO GOT US WHERE WE ARE

JOHN A. BARRETT JR.

Paid For By John A. Barrett Jr., 1601 S. Gordon Cooper Dr., Shawnee, OK



TRIBAL TRACTS

CPN SCHOLARSHIP RECIPIENTS — SPRING 2001

The following members received Tribal Scholarships for the Spring 2001 semester:

Mary E. Tasier, Oklahoma City Community College
 Sherri L. Tero, University of Central Oklahoma
 Jackie A. Jones, Seminole State College
 Sheri I. Hanson, Oregon Institute of Technology
 Jay Lene Brollier, St. Gregory's University
 Shiree D. Randell, University of Science & Arts
 Shelly J. Minshew-Ryczek, Tarrant County College
 Catherine L. Fiedler, Hesston College
 Paul A. Schmidkofer, East Central University
 Brenda C. Speer, SE Oklahoma State University
 Virginia A. Brock, SW Oklahoma State University
 Mark A. Mars, City College
 JoAnna G. Howard, University of Oklahoma
 Rosa C. Garcia, Seminole State College
 Jadee J. Kabance, Washburn University
 Mark J. Bearden, Oral Roberts University
 Connie L. Kay, East Central University
 Beau B. Waterman, Butler County Community College
 LeeAnna Wathan, DeMarge College
 Jeremiah J. Wright, University of Oklahoma
 Jenifer M. Vincent, University of Central Oklahoma
 Erica R. Powell, Seminole State College
 Randall E. Purdy, DeVry Institute of Technology
 Brent E. Ogee, Art Institute of Seattle
 Holly M. Olsen, Illinois State University
 Russell E. Nance, Northern Oklahoma College
 Lauren E. London, Savannah College of Art & Design
 Candice S. Forthman, Henderson State University
 Kami L. Fleck, Oral Roberts University
 Tara N. Crumby, Kansas City, KS Community College
 Adam B. Collins, Oklahoma Baptist University
 Cassandra E. Hoyt, University of Central Oklahoma
 Joshua D. Dobbs, New Mexico Junior College
 Kyle P. Hubble, SW Oklahoma State University
 Kyle D. Smith, University of Central Oklahoma
 Aleshia B. Hargrove, South Plains College
 Kari L. Minch, Indiana University-Purdue-Ft. Wayne
 Summer R. Garcia, East Central University
 Deborah D. Lackey, St. Gregory's Ace Program
 Ricky D. Hancock, Rogers State College
 Christopher B. Robertson, University of Central Oklahoma
 Sammy R. Soutter, Tulsa Community College
 Justin D. Flud, Northwest Technical Institute
 Kandis C. Dyer, University of Central Oklahoma
 Anna Marie DeMott, University of Northern Colorado
 Timothy W. Wagner, Jr., University of Nebraska-Lincoln
 Rebecca R. Honeycutt, University of California-Santa Barbara
 Jesse J. Thompson, Barclay College
 John Q. Kay, Jr., Hillsdale Free Will Baptist College
 Chad W. Swanson, Hillsdale Free Will Baptist College
 Kelli J. Mosteller, Oklahoma State University
 Hannan A. Smith, Bemidji State University
 Brian E. Buettner, Rose State College
 Samuel N. Walker, Lamar University-Beaumont
 Bobbi J. Trousdale, Oklahoma Christian University
 Adriane R. Stinson, Oklahoma City Community College
 Michelle L. Schwerdt, Emporia State University
 Cais S. Simmons, Tulsa Community College
 Brandon L. Robison, College of the Ozarks
 Kimberly D. Reier, Rose State College
 Ryan D. Rennie, University of Colorado-Boulder
 David C. Roberts, Jr., University of Central Oklahoma
 Dana L. Morrow, Richland College
 Brian J. Martin, SW Oklahoma State University
 Dustin G. Loftis, St. Gregory's University
 Marvin G. Ledyard, DeVry Institute of Technology

Candida J. Kadar, University of Nebraska-Omaha
 Terry D. Dake, College of DuPage
 Penny D. Byler, Amarillo College
 Chasity D. Belshe, Seminole State College
 Jayme R. Shelton, Oklahoma State University
 Linda R. Sasser, SW Oklahoma State University
 Sonya D. Moss, Oklahoma City Community College
 Katherine M. Harrison, Northeastern State University
 Kari J. Hale, Oklahoma State University
 Elizabeth N. Brown, Connors State College
 Jamie A. Erler, Lansing Community College
 Jessica E. Lee, University of Texas-Austin
 Jarad M. Logsdon, OSU-Oklahoma City
 Andreanna T. Smith, Oklahoma City Community College
 Michele S. Sweeney, Cowley County Community College
 David M. DeMott, Westwood College of Technology
 Barbara A. Sharp, LDS Business College
 Amy M. Upton, University of Oklahoma
 Sarah G. Patton, Carl Albert State College
 Cynthia D. Anderson, OSU-Okmulgee
 Staci D. Walker, Lamar University-Beaumont
 Thomas J. Slavin, SW Missouri State University
 Dana J. Schoemann, Oklahoma City Community College
 Sonya R. Roberts, University of Science & Arts
 Richard M. Robertson, Cal Poly San Luis Obispo
 Brooke N. Rumsey, Oklahoma State University
 Tara R. Ramos, Cameron University
 Jay A. Laughlin, Oklahoma City Community College
 Denise M. Hunter, Southern Nazarene University
 Amy L. Hill, Emporia State University
 Timothy P. DeCoursey, Jr., Washburn University
 Brian A. Brackett, Tennessee Technical College
 Kimberly M. Blue, University of Texas-Austin
 Bradley J. Scott, Carl Albert State College
 Christina L. Hall, Haskell Indian Nations University
 Heidi K. Baitis, Virginia Tech.
 Joseph P. Huke, Jr., Kansas State University
 Elizabeth M. Driver, SW Oklahoma State University
 Chad D. Barrett, University of Central Oklahoma
 Ryan P. McMillan, Kansas State University
 Christopher T. McMillan, Kansas State University
 Brandi R. Morris, University of Central Oklahoma
 Michael P. Whittle, Caldwell College
 Jeremiah C. Kichler, Northeastern Oklahoma A&M
 Casey J. Dockry, University of Wisconsin-Stout
 Jami L. Kay, Hillsdale Free Will Baptist College
 Kimberly A. McCorkle, Westark College
 Jeanne L. Pierce, Drury University
 Jessica M. Martin, University of Notre Dame
 Angela R. Huffman, SW Missouri State University
 Jami L. Gates, East Central University
 Jill A. Gomez, University of Central Oklahoma
 Jerry E.E. Griffith, College of the Ozarks
 Koby S. Fleck, Oral Roberts University
 Aaron B. Collins, Oklahoma Baptist University
 Casey J. Burns, Hastings College
 Allison N. Barrett, East Central University
 Eric J. McMillan, Kansas State University
 Marc E. Smith, University of South Alabama
 Leah M. Hale, Oklahoma State University
 Whitney L. Anderson, University of Oklahoma College of Nursing
 Allyson E. Rumsey, Rose State College
 Allison M. Jinks, Tarleton State University
 Kara M. Hoover, Northeastern State University-Tulsa
 Magan D. O'Connor, East Central University
 April D. VanAntwerp, East Central University
 Bryan A. Fuller, University of Oklahoma
 Erica A. Rhodd, Oklahoma State University

Sydney R. Flowers, Sterling College
 Jenny L. Affentranger, Oklahoma Baptist University
 Angela D. Allen, University of Texas-Arlington
 Ami J. Clift, University of West Florida
 Amy L.M. Birch, Kwantlen University College
 Toni J. Kay, University of Oklahoma
 Diedre G. Torres, University of Tulsa
 Thomas K. Nickou, University of Central Florida
 Richard A. Meyer, Jr., Sierra Academy of Aeronautics
 Isaac M. Longcrier, MMI (Motorcycles Mechanics Institute)
 Tiffany S. Healey, OSU College of Veterinary Medicine
 Jeremiah B. Coleman, Loma Linda University Medical School
 Rhonda K. Bathurst, American College of Traditional Chinese Medicine
 Bradley W. Stahlheber, OSU-College of Osteopathic Medicine
 Cynthia R. Holik, Rose State College
 Jennifer L. Austin, University of Missouri School of Law
 Lori A. Snyder, Wes Watkins Technology Center
 Jason D. Mitchell, University of North Texas
 Judy L. Robinson, Nova SE Univ. Oceanographic Center
 Lorri A. Rayburn, Pittsburg State University
 Rhonda J. Honeycutt, California State University-Northridge
 Misty S. Bates, SE Oklahoma State University
 Stacey L. Bruno, Gordon Cooper Tech.-LPN Program
 Christine K. Thomas, University of Oklahoma
 Rogina M. Lopez, Seminole State College
 Beth L. Lamascus, Portland Community College
 Sarah B. Kupiec, OSU-Oklahoma City
 Jennifer L. Fox, Missouri Southern State College
 Kaycee D.K. Baser, Northeastern Oklahoma A&M
 Rachel A. Adame, Washburn University
 Geneva A. Benton, Cowley County Community College
 Allison B. Frakes, University of Oklahoma
 Jacquelyn J. Loyd, University of Arkansas
 Kristi L. Mahaffey, Oklahoma Baptist University
 Laurel C. Higbee, San Diego Community College
 Jayne A. Sauer, University of Saskatchewan
 Andrea D. Moore, Connors State College
 Shane D. Mandrell, Santa Fe Community College
 Sarah R. Boland, Point Loma Nazarene University
 Alyxis M. Feltus, Fon du lac Community College
 Heather N. Anderman, SW Assemblies of God University
 Stanley Williams II, University of Oklahoma
 Traci J. Kane, University of Oklahoma
 Gregory A. Cline, Oklahoma City Community College
 Michelle E. Washam, California State University-Long Beach
 John C. Weddle, Oklahoma State University
 Joshua C. Baser, Oral Roberts University
 Brian E. Gayer, SW Oklahoma State University
 Michael A. Pace, Oklahoma City University
 Joanna G. Diaz, University of Puerto Rico
 Timothy W. Frakes, University of Central Oklahoma
 Michael L. Dykstra, University of Oklahoma
 Odessa A. Robinson, University of New Mexico
 Tracy J. Downing, Regent University
 Chad D. Kaminski, SW Baptist Theological Seminary
 Charles D. Dunigan, University of Oklahoma
 Czarina A. Thompson, University of Oklahoma
 Amanda G. Wamego, Northern Oklahoma College
 Margaret A. Dudley, Eastern Oklahoma State College
 Alesha D. Rush, St. Gregory's University

The deadline dates for submitting scholarship applications: Summer - June 1, Fall - August 15, and Spring - December 15.

From The HowNiKan Mailbox

Dear Editor:

Our family has been so blessed these last two years with three new members (our grandchildren) that my husband and I want to send a donation to the HowNiKan. I enjoy reading the paper each issue. Since there are few of us in Iowa, it helps keep me in contact with my roots.

One member born last year and of whom I thought I had sent to the HowNiKan and realized that I hadn't is Garrett Cole Hanson. Garrett had quite a difficult time being born and was a month early, though his size of 8 pounds and three ounces and 20.25 inches long, wouldn't indicate that. He was born on July 5, 1999, in Des Moines, Iowa. He is welcomed by his parents Nick and Helena Hanson, plus a brother Mason, and a sister, Ivory.

One new member this year is Jaclyn Louise Michener, born June 15, 2000, in Oskaloosa, Iowa. She weighed 9 pounds and one ounce and was 20 inches long. She is welcomed by her parents Tanya and Matt Michener and a brother, Levi.

The other new member this year is Harrison Everett LeRoy Pauley, born September 12, 2000, in Des Moines, Iowa. He weighed 7 pounds and 3.6

ounces, and was 19.5 inches long. He is welcomed by his parents Lisa and Everett Pauley and two sisters, Silvia and Laura.

All three, Garrett, Jaclyn, and Harrison are new tribal members and we feel blessed to add them to our family.

Sincerely,

Larry & Christine Pauley

Dear Scholarship Committee:

I would like to take a few minutes to say thanks for the scholarship that I received for the 2001 spring semester. With the funds that have been contributed by the Citizen Potawatomi Nation I will be able to continue my studies in business here at Point Loma Nazarene University. My major, Business Administration, has given me an enjoyment of education and more importantly knowledge.

By attending Point Loma Nazarene University I will be able to gain the skills and knowledge so that I will be able to compete successfully in the business field. With your contribution I will be able to attain the full education that I desire. With the utmost sincerity

from my heart, I thank you for your contribution, which will help me gain the most that I can through Point Loma Nazarene University. Thank You!

Sincerely,

Sarah R. Boland

Dear Fellow Tribal Members:

Several months ago a letter about the festival, written by a newly found cousin of mine, was published in the HowNiKan. She was in the possession of a genealogy book which was researched and written by another family member that had passed on. As far as she knew it was the only book of its kind. I would like to get in touch with this woman. If possible, I would like to get a copy of the book or a portion of the book.

If any of the Higbee or Bertrand family would like to keep in touch or are interested in planning a meeting and gathering place for the next festival, please contact me. My name and address is as follows:

Judy Wilson
4401 S. Czech Hall Rd.
Mustang, OK 73064
(405) 324-5627 after 7 p.m.
or before 10 p.m.

The following thank you came to the Employment & Training department for their help in repairing the Spirgis' vehicle while Mrs. Spirgis was in the hospital being treated for a heart attack.

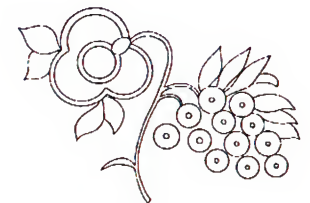
Margaret,

I'm sure you remember 12/12/00. For most people it was trying to finish up to leave because it was the start of a 4-day ice storm.

For me, it was my wife enroute to the ER with a minor heart attack and a blown transmission in my truck, 35 miles from home, 12 degrees and sleet and snow falling. Your kindness, understanding, patience and help played a key role in Peg and I not becoming destitute in the face of Mother Nature and Lady Luck.

Thank you for all of your help. God bless you.

Michael and Peggy (Lowe) Spirgis



Potawatomi Brothers and Sisters,

My name is Esther Lily Lowden (Piyawade), a descendent of the Peter Curley family and Peter Kahdot family. I live in St. Louis, Oklahoma, with my husband Nobbie; we have two married sons, Robert H. Lowden, his wife Tinna and granddaughters Keely and Kendra, living in St. Louis, Oklahoma; and Junior Lowden and his wife Jali, who also live in St. Louis.

I worked for our Tribe 11 years this April. I was the Director of the Museum and Gift Shop. I was appointed to our Election Committee and served for several years. I also served on the Grievance Committee and helped with traditional ceremonies - pow wow committees.

I would like to share my ideas and views about our Tribe, because I feel we have reached a time for change. I have been asked by many of you, "can we maintain our traditional ways and still progress with the rest of the world?" I believe the answer is "yes, we have to."

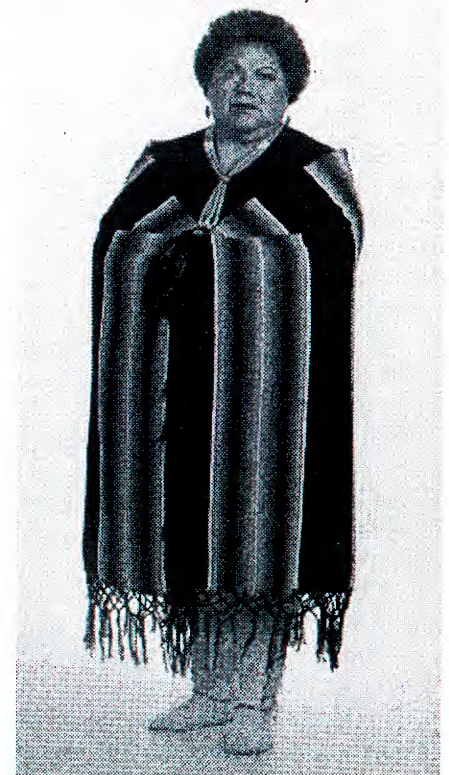
The key to our Tribe's true success, is involvement from tribal members, young and old. I would like to see a youth council, elder's council implemented. I talk to members daily who are both ready to teach and ready to learn. Also, I talk to members about the importance of enterprise growth. I believe with the right kind of leadership we can better serve our people.

Representation around the Nation is important, having an Honor Guard and a Language and Culture Committee representing us is vital.

Involvement from Tribal Members will be the key to uniting our Tribe. Citizen Potawatomi Nation is a progressive Tribe, no one person can oversee its growth. We need a leader who can bring us together for the continuation and success of our Tribe.

I feel so proud to be Potawatomi; my desire to build a future for our children and grandchildren is strong. I am proud of our past and have faith in our future.

Paid for by Esther Lowden Campaign Account, P.O. Box 126, St. Louis, OK 74866





NEWS OF CPN DEPARTMENTS & ENTERPRISES

WHAT'S HAPPENING HERE?

Child Care Center

Donnette Littlehead,
Director

The Citizen Potawatomi Nation Child Care Center provides services to eligible families in Pottawatomie and portions of Cleveland and Oklahoma counties. The center also provides a certificate/voucher program that allows Native American parents who are working or enrolled in a training program and who meet income eligibility criteria to receive child care assistance.

The Child Care center is open from 6:00 a.m. to 6:00 p.m., Monday through Friday and accepts children ages 6 weeks to 12 years of age. The center operates six age appropriate classrooms: infants, toddlers, twos, threes, fours, fives and after-school.

The after-school program is coordinated by Jesse Hernandez, who also gives music lessons to the other age groups.

The center recently renewed its license and increased the number of participants from 135 to 205.

If you would like more information about this program, call 405-878-4861.

The Citizen Potawatomi Nation Child Care Center was given high praises from the local Department of Human Services (DHS) office. DHS made its surprise visit this past month and commended the center for its dedication to the young lives it comes into contact with.

When the doors initially opened, it provided service to 50 children and employed 5 staff members. Today, the center provides service to just over 200 children in Oklahoma, Cleveland and Pottawatomie counties and employs 23 staff members.

Dental Clinic

On December 11, 2000, the Citizen Potawatomi Nation hired its newest healthcare professional, Dr. William Gilliard, DMD, to head up the Dental Clinic at the Health Center. Dr. Gilliard is a graduate of the University of Medicine and Dentistry of New Jersey and a native of South Carolina.

Also working in the Dental Clinic are Ellisa Hinton, Regis-

tered Dental Hygienist (RDH), a graduate of the University of Oklahoma College of Dentistry; and Sharon Blevins, front office manager and chair side dental assistance, pursuing a degree in Business Management and Ethics at Mid-America College in Seminole.

The dental clinic is a beautiful, modern facility that is equipped to provide the highest quality of dental care. Preventive services such as examinations, x-rays, cleanings, fluoride and patient education are offered as well as restorative services including dentures, crowns, and bridge-work which can be offered at a reduced cost to qualifying patients.

Emergency treatment is available by appointment only and on a limited basis. No walk-in treatments are available; patients must schedule an appointment by calling 405-273-6337. Patients must have a CDIB card and live within the clinic's jurisdictional area.

The goal of the dental clinic is to provide complete dental care and education to promote dental health for all our patients. We look forward to seeing our patients and want them to look forward to a pleasant and comfortable visit, not just one of pain and discomfort. All patients will be scheduled for an examination and x-rays to determine treatment needs and, if need be, appointments for restorative and preventive care.

The dental staff wishes to thank the administrative and clinic staff and the business committee for their hard work and continuing support. It is a pleasure serving our patients and being part of the Citizen Potawatomi Nation Team.

Food Services

The Food Services department, located in the Tribal Headquarters building, serves the nutritional needs of our Title VI elders and our children at the Child Care and Early Head Start Facilities. They currently serve between 55 and 60 elders a day and some 60 children.

Employees are also eligible to eat in the kitchen for \$3 a meal on a food availability basis.

The kitchen is also available to all tribal operations for catering

services. With appropriate notice, snacks, beverages, vegetable trays, sandwiches, cookies and much more can be provided. For more information, contact the kitchen at 405-275-3121 ext. 120.

Grants & Contracts

Rhonda Butcher
and **Lisa Kraft**

Grant writing at the Tribe is big business. At the time of this report, there are approximately 11 grants pending award and funding notification from federal agencies. Together, they total \$4,677,513. In addition, there are 47 active grants, contracts, and annual funding agreements spanning project periods from 1 to 5 years. These grants total a whopping \$30,205,293.

We are often asked, "How does the Tribe get this money?" The Grants and Contract staff meet weekly to go over funding notices offered by the federal government. Together, we make decisions to pursue grants that will enhance existing tribal programs or contribute to the goals and mission of the Citizen Potawatomi Nation as governed by the Business Committee.

It is not unusual for Tribal Department Directors to bring in notices of funding opportunities, share their ideas on how to improve their programs, and even draft their own grants. Other times, the grant directives are handed down from administration (e.g. construction grants). Once a grant opportunity is selected, a brief abstract is prepared and presented to the Business Committee. The grant writing team proceeds with making the application to the funding source only after the approval to proceed is given by the Business Committee via a tribal resolution.

This may seem like a time consuming process, but it keeps everybody informed about the status of a grant application or proposal. In the long run, keeping everybody informed as we go along, instead of after the fact, has proven to be very beneficial.

After a grant is awarded to the Tribe it becomes important to see that we do what we said we would do in the grant. In our office we call this Grant Coordination. Our office is best prepared to do this

since we have been involved with the grant process from the very beginning. We attend pertinent meetings, meet with the public, establish relationships with funding sources, and setup and maintain files on all grants, contracts, and annual funding agreements. Technical assistance is provided to Department Directors on an open door policy. If our door is open, we will help you!

Experience has proven that teamwork is the best approach when applying for, and ultimately, managing grants. The Grants and Contracts staff has recently finished entering all current grant information into a new Grants Management Database. Gene Estep of the Networking Department created the database in Microsoft Access. With the Grants Management Database on-line, administrators, program directors, and even the Business Committee can know in a few moments the status of federal grant funds that are flowing through the Tribe at any given time.

Tribal Store #1

Potawatomi Tribal Store #1 will soon be changing its name to FireLake Convenience Store. This change is a direct result of the Tribal Store moving into the

northeast corner of the grocery store. We will still have the same great service; in addition, our overall selection within the store will increase. Also, we will be adding four more gasoline pumps (including diesel) to better serve our tribal members and outside customers.

As for Potawatomi Tribal Store #2 (Tecumseh), its name will also change to the FireLake image. However, as of the time of this publication, the date when this will officially change is unknown. CPN is also considering converting the Tribal Store into a more traditional convenience store format. This would include offering gasoline and a much larger selection of merchandise and snack items. Check future issues for more details.

WIC

March is "National Nutrition Month." The WIC program will be sponsoring a program during this month for all children that are currently enrolled. The children can participate in the "I Conquered the Food Guide Pyramid" activity. Children, with their parents help, will complete activities and learn about each group in the food guide pyramid. Children who complete all activities will receive a T-shirt and other items.

Looking for books and videos on Native American history and culture? Try these mail order catalogs.

Written Heritage, American Indian:
Past & Present
P.O. Box 1390
Folsom, LA 70437-1390
www.writtenheritage.com

Clear Light Publishers
Native American Catalog
823 Don Diego
Santa Fe, NM 87501
www.clearlightbooks.com

Four Winds Indian Books
Indian Books Catalog
P.O. Box 544
York, NE 68467-0544
www.fourwindsbooks.com

University of Oklahoma Press
1005 Asp Ave
Norman OK 73019-6051
1-800-627-7377
www.ou.edu/oupres

University of Arizona Press
1230 N Park #102
Tucson, AZ 85719
www.uapress.arizona.edu

University of Nebraska Press
University of Nebraska - Lincoln
312 North 14th St
Lincoln, NE 68588-0484
www.nebraskapress.unl.edu

TRIBAL TRACTS

Health Aids Foundation lists guidelines

HEALTH AIDS FOUNDATION INFORMATION

POLICY: Program monies are for all Potawatomi Nation members, born by June 30, 1961 or who are at least 1/8 blood degree.

USE OF FUNDS: Program monies are to be used for the purchase of:

(1) Prosthetic Devices, (2) Eyeglasses, (3) Contacts, (4) Hearing Aids, (5) Dentures, (6) Partials, (7) Bridges, (8) Crowns, (9) Prescription Sunglasses (Doctor's statement is needed)

Prescription Sunglasses must have a doctor's statement stating that they are medically

necessary. The Health Aids Foundation will not pay for examinations, diagnostic procedures or taxes.

I. APPROVAL: Completed applications will be individually reviewed on the third Thursday of every month.

Application will not be considered after 12 months have lapsed from the date of service or if information is lacking.

II. THE FOLLOWING MUST BE COMPLETED

before the application will be submitted to the HAF Committee:

1. Completed Application
2. Detailed Itemized Statement from Doctor or Vendor

i. Doctor's signature (signed statement or prescription if device is purchased from business other than doctor, signature stamps are not accepted by the Health Aid Foundation.)

III. AUTHORIZED EXPENDITURE LIMITS: The selection board may authorize expenditures, which shall not exceed 75% of the cost of the device(s). During the program year, no one individual may be authorized to collect more than \$750.00. If the applicant has insurance available for prosthetic device, HAF will pay 75% of the remaining balance, up to

\$750.00 per year. The program year runs January through December.

IV. ADDITIONAL NOTE ON DOCUMENTATION:

1.) Eyeglasses and Contacts: If tinting is medically indicated the HAF MUST have a statement from the Doctor. If a statement is not submitted with the application the HAF will not pay for the additional charge.

2.) The HAF will consider bridge work for benefits under this program. Please have your Dentist explain what cost directly relates to the bridge work.

Bowling tourney visits FireLake

The Native American Bowling Tournament made its annual stop at FireLake Bowling Center on January 13-14, 2001. More than 200 bowlers participated for the fun on FireLake's superb lanes.

FireLake's very own employee, Alf Williams, battled it out with Jerry Meely from OKC for the All-Around Event. Alf Williams, with a total of 2119, edged out Jerry Meely, who scored a 2105.

In the women's All-Around Event, Debbie Lyles ran away with a 1729, while Marijo Brand came in 2nd with a 1656.

This tournament was a great success and everyone who participated enjoyed him or herself.

The Native American Bowling Tournament will be held again in January 2002. For more information about the FireLake Bowling Center, call 405-275-2855.

Citizen Potawatomi Nation Health Aids Foundation 1601 S. Gordon Cooper Dr., Shawnee, OK 74801

APPLICATION

****Please note:** The application process takes 4-6 weeks. Upon approval, you will receive a check via certified mail. A Doctor's or Vendor's signature is required on itemized statements. **

Patient Information

Name: _____ Maiden Name: _____ Phone: () _____

Address: _____ City: _____ State: _____ Zip: _____

Date of Birth: ____ - ____ - ____ Social Security Number: ____ - ____ - ____ Tribal Roll #: _____

Name of Insurance Company: _____

Phone #: () _____ City: _____ State: _____

Explain why assistance is needed: _____

Signature: _____ Date: _____

Please check (X) one of the following prosthetic device needed:

() Eye glasses () Contacts () Hearing Aid () Prosthetics () Dentures () Crowns () Partials () Bridgework
() Prescription Sunglasses (Must have Doctor's statement)

Doctor's Information

Doctor's full name: _____ Phone #: () _____

Mailing address: _____ City: _____ State: _____ Zip: _____

Official Use Only

Committee meeting date: _____ Approved: _____ Denied: _____

Chairman: _____ Member: _____ Member: _____

Reason Denied: _____

Request additional information: _____

Reading program comes to tribe

The Citizen Potawatomi Nation Early Head Start Program was selected by Ms. Jan Anthony of the Tecumseh Library to participate in a RIF "Reading is Fundamental" Grant. RIF helps promote reading and family involvement. One of our parents, Ms. Candace Montgomery, and Lead Teacher Ms. Henryetta Ellis were chosen to be our Parent and Teacher Representatives to be on the Book Selection Committee, who will select books for the children in the Early Head Start program. Books will be distributed three times a year.

Children will select a book at each distribution and it will be theirs to keep and take home. The first distribution was on Thursday, December 21, 2000. Before the children selected their books Ms. Debra Babb, a grandparent of two Early Head Start children, read "Twas The Night Before Christmas." Afterwards, the children were given Christmas treats. The Book Selection Committee will be distributing in March and May for the upcoming year.

REGIONAL REPORTS

Southern California

Bozho nikan,

Here we are, the beginning of February. Regional Council meetings are underway and both the tribal election and Heritage Festival are not that far down the trail.

I just came back from Southern California and a visit with my brother and his family. Trying to get away for a few days is difficult at best so I took the opportunity to see family and attend my brother's regional council meeting at the same time. It was a great meeting and the Southwestern Museum is something to see. If you are ever in the Southern California area you should take the time to go see one of the finest collections of Indian artifacts on the west coast.

At the meeting some spirited conversation took place over different issues and the comment was made that perhaps regional council meetings wasn't the time or place for

such discussion. I beg to differ! I think it is the perfect place for this type of discussion. The Citizen Potawatomi Nation is the only tribe I know of that has its entire governing body come to them every year to speak to them, share information and make themselves available to you, the members of the Citizen Potawatomi Nation. I hope you all realize the importance of these meetings. As members of the CPN we have a unique opportunity every year to see, talk to and ask questions of our elected officials. To hear their vision of what the future holds for our Nation. If they are running for office it is the perfect time to find out where they stand on certain issues and if you disagree it's your opportunity to tell them so. This is truly a chance to voice your opinion to the people that we have elected or will elect.

I can't state it strongly enough. If there is an issue you

want to discuss, or you have something to say, go to your Regional Council meeting and ask just those kinds of questions. You'll never get a better chance to do so and do it in your own backyard. Plus meet the candidates so you can form an opinion on what you hear and feel from the people that are asking you for your vote. The Citizen Potawatomi Nation is at a critical time in history and our leadership is crucial to our growth and prosperity. Remember to get those absentee ballot forms filled out and sent in and please remember to VOTE. It's way too important to just let it go and let someone else worry about it. We are Potawatomi, the keepers of the council fire. I issue this challenge. Let all 20,000 plus of us show that we care, are involved and want our proud Nation to continue to grow and prosper.

A tribal member mentioned that they felt that the format

that we have adopted (Heritage Festival vs. Powwow) was lacking tradition. Well I found a book at the Southwestern Museum Store all about Potawatomi written by James A. Clifton from the University of Wisconsin, Green Bay, and I found an interesting passage. "At the powwow today, Potawatomi from many places come together for recreation, family reunions, and the renewal of old ties. Notables are honored, celebrated, or remembered. There are highly competitive dance contests with prizes. But above all, the powwow is an opportunity for the people to assert publicly that they are Potawatomi."

This certainly sounds like the Heritage Festival format to me. Now I know that this has been a departure from the past. And I also know that you can't please everyone, but I have been attending powwow for several years and the new format twice

and I personally felt more at ease and thought that all the folks at the Heritage Festival had a great time. I felt as though I were truly amongst family and was treated as such by every one involved.

Come back to Oklahoma in June and see for yourself. I think you'll be impressed.

The Region 3 (Northern California) regional meeting is set for March 3 in Manteca, Ca. you should be receiving more detailed information and an invitation in the mail. I hope you can come and be with us.

Don't forget to ask for your absentee ballot and for goodness sake VOTE! Your vote does count!

See you at the Regional Meeting.

kshe'mnito kapma yawok
pama mine' waje'wapte'kon

God be with you until we see one another again.

Thom Finks

FORMER BUSINESS COMMITTEE MEMBERS STANDING UP AND STEPPING OUT IN SUPPORT OF ESTHER LOWDEN FOR CPN CHAIRWOMAN

Paul Schmidtkofer, Sr.
Former Chairman

Bob Davis
Former Sec./Tres.

TIME FOR CHANGE

Max Wano
Former Committeeman

Teresa Vieux
Greivance Committee Member



Francis Levier
Former Committee Member

Sheila Hall
Former Sec./Tres.

Norman Kiker
Former Committe Member

TIME FOR CHANGE

Leon Bruno
Former Chairman

Mary Lynn Hillemeyer
Former Committee Member

REGIONAL REPORTS

Northwest

Bozho Nikan..Ni Je Na?

You will soon have your invitations to the Northwest Regional meeting. I hope to see a lot of you attend, as this is our yearly meeting here in the Northwest and a time for all of us to meet other Potawatomi, along with the members of our council. It is also a time to shop at the tribal store and share a good meal together. This meeting was set up just for you, so please come and bring your children. It is important to let your children know that this is their tribe and it is important they attend. We will try to have some projects that will interest them as well. Please remember to bring your artwork, as our nation is offering very nice prize money for first, second and third place winners. There are a lot of very talented Potawatomi out here in the Northwest.

Most of the interest this last month has been from members looking for scholarship and genealogy information. I am always ready to help in any way I can and always happy to hear from you.

One of our very good youth facilities here in Oregon is the Nanitch Sahallie Youth Treatment Center. Nanitch Sahallie, in Chinook means "To Look Upward, To Look Forward." Their seven-week program, designed to provide top-quality treatment for our youth, is open to All Native American youth for chemical dependency problems. The two-month program is completed six times a year.

Program services offered are 24 hour supervision, psychological services, individual counseling with certified staff, life skills counseling, daily group therapy, nature outings, education and prevention programs, spiritual guidance, aftercare planning and references. Nanitch provides a living environment for up to 20 young men or women between the ages of 13 and 17 in early recovery from chemical addiction.

Positive reinforcement of Native American cultural and recreational activities is an essential part of the program. Visitors to the center are welcome to come join them for a meal, craft, sweats and ceremonies. Meet the staff at 5119 River Road N., Keizer, Oregon 97303 or call for

information at 1-800-552-0939 or you can e-mail Mr. Bob Lewis at: bob.lewis@grandronde.org. The statistics for complete recovery is very high for this center and highly recommended.

I will be looking forward to hearing from you here at your regional office: 1-800-522-3744 or e-mail me at: region01@potawatomi.org. Hope to see you at our regional meeting.

Megwich,

Rocky Baptiste

South Texas

Hau, bosho chak,
Ni je na ngom?
i she anwe migwech.

We've had a little winter in these woods. Not what you have seen in places where there are four seasons, but enough to freeze a few bugs, maybe. We are grateful for what we get.

This year, on March 24, we shall come together again for Council. I am making arrangements for us to meet at the Houston Museum of Natural Science. It is a remarkable place ... I believe you shall enjoy the time we spend together there. We will have Ms. Dorothy Lippard, Ph. D. (Choctaw) as our guest speaker. She will also treat us to a tour of the "Hall of the Americas." The Native American collection there is extensive and very beautiful.

I am looking forward to seeing all of you again. Once or twice a year is never enough time to visit and catch up on "family" doings. I think of you often and remember you in my prayers.

You have already heard much — and will hear a great deal more — about the upcoming elections at Council in June. I will not expound on that in this letter.

I will repeat for you two things you have all heard me say before — perhaps more often than you wanted to hear them — You cannot build a Nation handing out dollar bills at the door. I sincerely believe that those words require more thought than some have given to them.

Indifference and apathy can, and often do, cost more in lost hopes and dreams than many other, seemingly much larger, foes we face in our lives. If you want something to happen, you have to make the effort to follow through. If you don't exercise your privileges as

Citizens of our great Nation — the Citizen Potawatomi Nation — you have no right to gripe. 'Nuf said for now, eh?

Be good to each other,
Lu Ellis

North Texas

The Groundhog saw his shadow and we all know that means six more weeks of winter. There must be some truth in this tale as winter seems to be hanging on. Our power bills are proof of that, but at least we have power unlike the people in California. Spring cannot be far away as the daffodils are up and will be blooming soon and then we will be complaining about how hot it is. We have enjoyed the rain; it is much needed.

I had a call today from Oregon. This man apparently was calling for information and was getting numbers everywhere except our headquarters in Shawnee, where he needed to speak with someone. I gave him the name and number of Rocky Baptiste, who would be his representative, but also told him that we are willing to help in whatever way we can.

Those of you who are reading a relative's *HowNiKan* should be sure that the folks in Shawnee have your current address and that way you will have your own copy. And the phone numbers are listed there. So, if you have a change of address, give me a call and I'll turn it in or you can call Mary Farrell's offices in Shawnee and they will help.

I had another phone call regarding the dates of the Festival as this family wanted to plan their vacation. I found that we have five Saturdays in June this year and the Festival will be June 29 and 30 and July 1. So mark your calendars and plan to be there. If you cannot be there, call Shawnee and find out how you can get an absentee ballot. It is very important that you make your voice heard in this election.

Graduation will be here before we know it and you need to be checking on the scholarships available for those who are starting or continuing college next year. It's never too early to begin checking into this aid.

Call me if I can be of help to you.

Marj Hobdy

Foundation to meet in Idaho

(Fort Hall, Idaho) — The Shoshone Bannock Tribes has formally accepted an offer from the Native American 2002 Foundation to host all Indian Nations during the XIX Winter Olympics in Salt Lake City, Utah in February 2002.

The Shoshone-Bannock Official Tribal Host Committee, Winter Games 2002 "WG'02", has been established by the Fort Hall Business Council. Currently the Committee is made up of volunteers throughout the local communities, but plans are in place now to attract interested members throughout the United States. The committee is currently establishing sub-committees for:

- Information
- Education
- Marketing of Traditional Fine Arts & Native Merchandis
- Marketing of Traditional Foods
- Performances
- Housing
- Transportation
- Programs for American Indians during the Olympic events.

Special committee members are: Liberty Toledo, Miss National Congress of American Indians;

Randy'L He-dow Teton, model for the U.S. Mint Sacajawea Dollar Coin; Hovia Edwards, Internationally renowned Native American Flutist; and Stacey Dragila, first gold medal winner of the Women's Pole Vault in the 2000 Summer Olympics at Sydney, Australia.

Interested parties wishing to assist the Shoshone-Bannock Official Tribal Host Committee for the Winter Games 2002 should contact: Garth Towersap, Chairman, 208.478.3936, lit_sage@yahoo.com. Or by mail at Shoshone-Bannock Official Tribal Host Committee, P.O. Box 306, Fort Hall, Idaho 83203-0306.

Citizen Potawatomi Nation

Early Head Start

Schedule of Events

Cultural Day — 4th Wednesday of every month

Health Service Advisory Committee

Meeting — 12:00 p.m. on the

1st Thursday of every month

Policy Council Meeting — 9:00 a.m. on

the 1st Saturday

of every month

Parent Meeting — 6:00 p.m. on the 3rd

Tuesday of every month

For more information,

call 405-275-3121

Attention Midwest (Region 9) Members

The date of the Midwest Regional Council Meeting has been changed from May 5, 2001 to May 12, 2001. It will be held at the Kansas History Center and Museum, 6425 SW Sixth Avenue, Topeka, Kansas 66615, adjacent to the tribal property. If you have questions or would like more information contact Mary-Ellen Vieux Clinton at 800-325-6639 or Cathie Hanson at 800-880-9880

The Oklahoma and No Region Art Competitions will be held May 19, 2001 at 10:00 a.m. in the Longroom (1901 S. Gordon Cooper Dr.)

For rules and registration, contact Dennette Bare at 405-275-3121.

SOUTHERN CALIFORNIA REGIONAL COUNCIL



Jenice Trailer And Dorene Altman



Adam J. Davenport, 4 Months, Was The Youngest Enrolled Member Present. He Is Pictured With His Grandmother, Rose Davenport. His Potawatomi Grandfather, James Paul Davenport, Passed Away In April 2000.



Thom Finks, Jeremy Finch And Jeremy's Student Helper



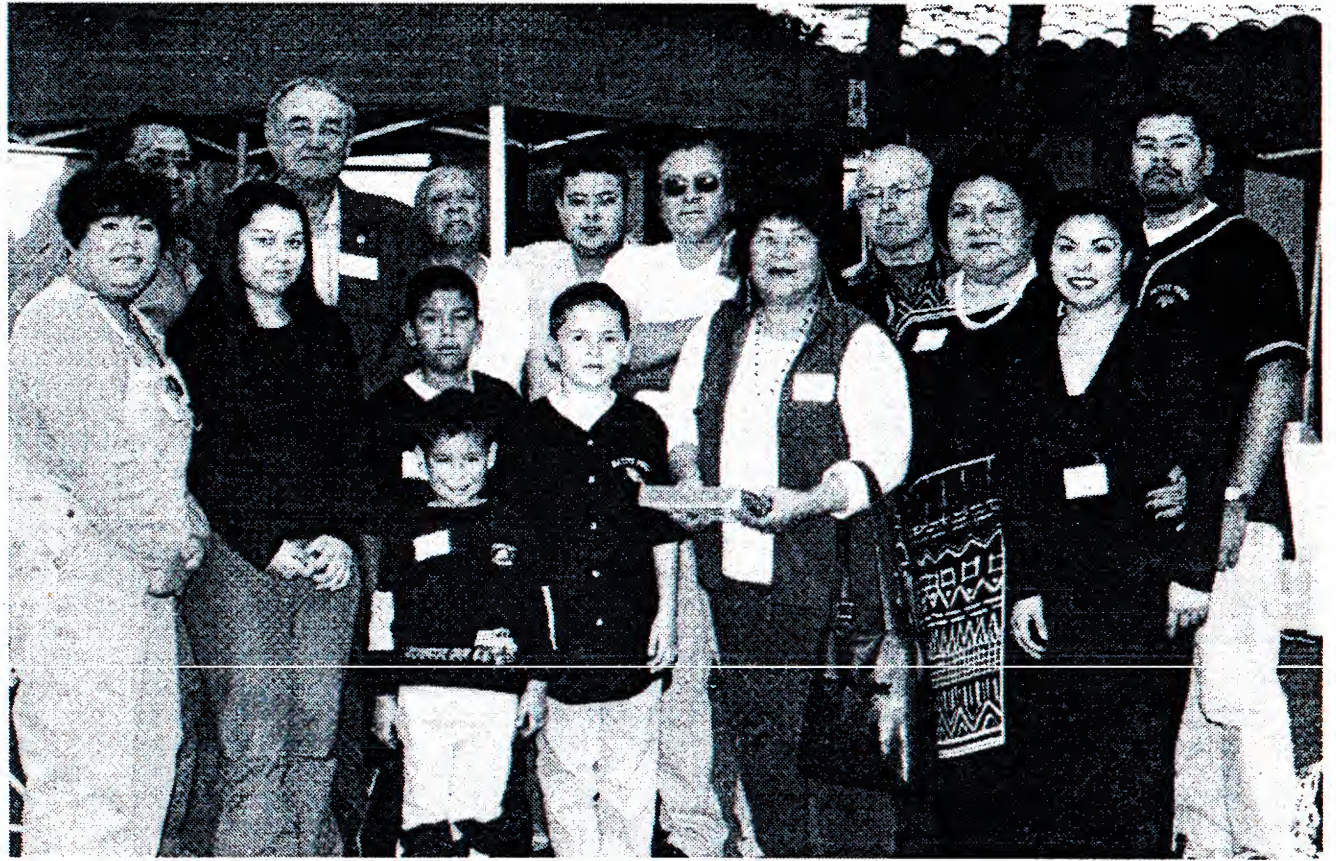
Chairman Barrett And Vincent Correll



Loretta Barrett Oden With Alex And Thom Finks



Dorene Altman, 84, Was The Wisest Tribal Member Present



The Burnett Family, Including Committeeman Jerry P. Motley



Nadine Weisham, Pictured With Husband Bob, Traveled Farthest To Attend The Meeting



Angela Riley And Josh Swartz



Larry Watson And Mike Ellis



First Place Winner In The Art Contest Was Betty Coleman With "Indian Rider In Oil"



Second Place Winner Was Florence Foster For Her Traditional Potawatomi Lady's Yoke



Third Place Went To Nadiya Littlewarrior For "Hawk's Nest," Gourd-Pine Needle Art

POTAWATOMI SCRAPBOOK

At Home At Bullbonus Grove On The Kankakee

This is one of a series of articles from *Burt E. Burroughs: Annotated - The Story of Kankakee's Earliest Pioneer Settlers*, a local history book published in Bradley, Illinois, in 1986. The book was compiled from newspaper articles written in 1932 and published in the *Kankakee Daily Republican*. It is reprinted with permission of Vic Johnson, whose notes and introduction are part of the book, which contains a wealth of information about Potawatomi families and their lives while in the Great Lakes area.

There is a dearth of detail and information concerning this momentous move on the part of LeVasseur and his family to the Valley of the Kankakee. The facile pen of l'Abbe Fanning, while recounting many interesting incidents in the life of our first pioneer, is strangely silent on many of the little things involved of which a people of a later day seek information. The month, the day of the month, as well as other little details of an event so important are passed over without mention. By a strange lapse l'Abbe alludes to the year as 1836, or four years later than the date, March 1832, as fixed by Gurdon S. Hubbard. Presumably for some weeks LeVasseur's men had been busy cutting timber along the trail which was assembled at the point designated by LeVasseur at the point where the curve of the trail straightened out into a tangent towards the northwest. Beyond a doubt the energetic Dominique Bray, a trusted lieutenant of LeVasseur's, was at the head of a rollicking band of French Canadians who trimmed and shaped the logs that went into this first habitation. Ray came to the Kankakee himself a year later and built his cabin farther on. His people live here yet!

How strange it must have seemed to thus break the silence of the wilderness by sounds of industry intermingled by the patois of an alien people, who now and then broke into the roystering song of the voyageur as they worked with right good will. With what curiosity and interest did bands of the Pottawatomi who roved the old trail contemplate the operations of this little band of white men who babbled incessantly or sang as they worked on the growing walls of the first log house! What tales of improvement and industry the driver of the weekly mail coach carried afar on his trips from Chicago to Danville and back as he beheld from week to week the progress of the work on this first wilderness dwelling! It was not a mere makeshift cabin that first graced the Main street of the old town such as we know today, but a structure of unusual dimensions whose very size and solidity proclaimed that the master thereof was a man of affairs and meant business. He did mean business, for a portion of the building held a considerable stock of goods such as a trader of that day found necessary and, in addition, there was ample room to accommodate the trader and his dusky consort and their three babies. The Indian wife, Wat-che-kee, must have viewed with complacency and satisfaction this evidence of growing importance an affluence as expressed in the size of the new domicile. Admittedly it is a feminine weakness to desire something big and bigger still, in the way of a house in which

to live, and Wat-che-kee though Indian, was a woman nevertheless.

This Main street of Bourbonnais (and it is so called today), is much the same in its general contour as when LeVasseur began his century-long occupancy. It is, probably, the only street in the middle west originally laid out by forces of nature and since followed without variation in the slightest particular. Where the Chicago-Danville-Vincennes trail from the south angled across the Jacques Jonveau reservation section, it struck the timber of "LaPointe" or Bull-bonus Grove at the extreme southeast corner of Me-she-ke-te-no's reservation, and then curving with the timber and following the contour of its eastern side for two thirds of a mile, it reached a point where the trail passed on a straight line out of the northwestern corner of the said section and on to Rock Creek. LeVasseur was satisfied with the street as he found it. Apparently it lacked nothing to be desired but was in perfect accord with his most cherished recollections and the best traditions of the French Canadian habitant, the plats of whose seigneurial holdings on the St. Lawrence, Trois Rivières and Rivière de Loup are far more intricate and baffling still. R. J. Boylan, an early-day surveyor, surveyed the village and made its first plat. His starting point was a certain hickory tree, indicated on the original plat which must have given up the ghost and disappeared from view many years ago. This plat was made in 1840. The plat of the village is a real problem for the modern surveyor and a nightmare for the abstractor. Barring a lot or two on the southern and western sides of the village there is not a perfect rectangle or square in the entire plat, and all because Noel LeVasseur and his conferees found and accepted the trail as a Main street already laid out.

This log house was built on the east side of the trail and faced to the southwest. Its original position was nearly opposite the hardware store which Joe Boisvert carried on not so long ago. This first log habitation remained long after LeVasseur had provided other quarters in which to carry on his business. It for a time sheltered the family of Johnathan Uran on their advent into the country in the 40's, and while the work of preparing an abode on the farm he had taken up was under way. The old place extended hospitality to many a newcomer to the country who enjoyed its friendly shelter while the work of providing other living quarters went on. It became an institution endowed with many memories—both historical and personal. A few years ago this property was sold to one M. DeRivieres, of Chicago, mentioned as "the sawdust king." He had the

building cut in two and sold the west half of it to M. W. Beique, who moved it several hundred yards south on the street and concerted it into his present dwelling.

The Beique home, so chic and up-to-date in its covering of weatherboards, windows, doors and eaves, not forgetting the enhancing value of a coat of paint, in its general ensemble gives no hint of the great antiquity that invests the very bones of this structure. The main floor is composed of the selfsame hewn sills of oak fastened with wooden dowel pins as was the ancient custom. The floor joists are hewn of oak and are still as they were originally placed by the pioneer workmen of one hundred years ago. If one approaches Mr. Beique in the right manner he will conduct the curious visitor down a flight steps into the cellar, and there one may behold the ancient under-pinning entire, just as the job was finished in that month of

March, 1832. The log walls of the house were replaced with oak studding, but the upper joists and rafters are of the original materials. The other half of the house was removed to another location in the village and vestiges of it are said to still in existence.

Generally, in the old pioneer days, when distances between settlements were greater than they are today and when neighbors were removed at a distance, the settlers showed their appreciation of a newcomer by turning out and giving him a rousing "housewarming." Mr. and Mrs. LeVasseur all comfortably settled in their new home on the

trail were ready for any such friendly demonstration on the part of neighbors but, on second thought, there were no neighbors—no white ones, at least. In his case their nearest neighbors were the members of the Pottawatomi village a mile to the west, on the river, presided over by Chief Me-she-ke-te-no, an acquaintance and very good friend of LeVasseur's, whose village he had frequently visited on trading expeditions. What if they should take it into their heads to celebrate the advent of their old friend, the white trader, in their midst?

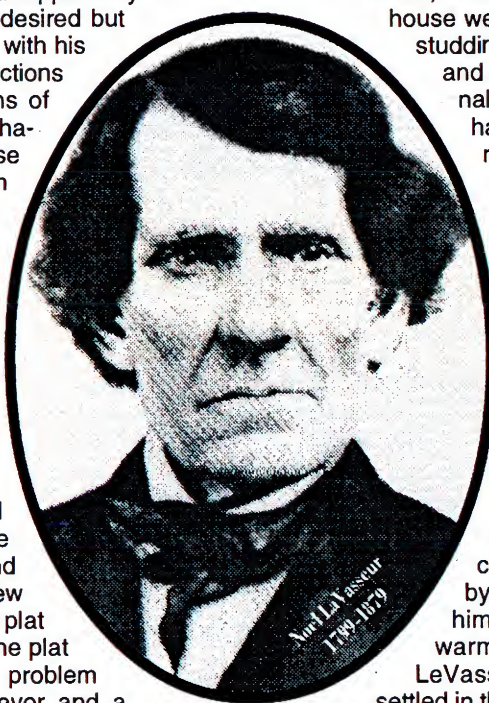
Sure enough they did. Me-she-ke-te-no at the head of a goodly band landed in at the log house on the trail one day bent on the pacific mission of extending felicitations after the manner of the aborigine. The story that follows is pieced cut of extremely meager details and scraps of narratives as handed down by word of mouth by the older pioneers familiar with what took place. The gist of the story was to the effect that LeVasseur was considerably taken aback when the chief and a considerable retinue of his warriors filed into the house and took up their positions in a circle on the floor where they sat

cross-legged, while the chief lighted his big pipe, took a deep whiff and sent it on its way around the circle. LeVasseur, through years of association with the Indian, knew their methods and habits perfectly. The disturbing thing in this situation was that being a trader and the possessor of a quantity of whiskey, he was expected to produce plentifully of the "fire-water" in acknowledgement of this friendly gesture on the part of the visitors. LeVasseur did not care so much for the whiskey but, on the other hand, he did not particularly relish having to deal later with a drunken, irresponsible mob. The situation required the exercise of diplomacy.

Me-she-ke-te-no, after the pipe had gone the rounds, arose and began to speak in laudatory terms of "the White Father" who thought so well of his red children that he moved his tepee nearer to them; they always appreciated that he went to so much trouble to bring to them the articles so much desired in exchange for their furs; he was liberal with the "eau-de-vie," (meaning whiskey) and that fact was the means of drawing the hearts of the young men closer to him and in a closer friendship. At the speaker's mention of "eau-de-vie," there was a chorus of "How! How! How!" from the red assembly which signified that the statement met their approval. Continuing the chief said that in all the history of the red man the beaver was regarded as the most industrious and intelligent of created things until the white man came. The white man was greater still than the beaver. At this, the chief sat down, followed by "How! How! How!" from the seated throng.

LeVasseur, during the interval occupied by the chief in speaking, thought rapidly of what to do in the emergency and when he arose to express in return his appreciation, he was ready. He stated that this evidence of neighborliness on the part of the village of his good friend, Me-she-ke-te-no, touched him deeply; it was good that the white man and red brother should dwell in peace; it was true that he had at much inconvenience and trouble, moved his habitation from afar that he might be nearer to them and thus serve them better, on which he was greeted by "How! How! How!" in stormy applause. Continuing, he said that there was only one regret he felt at this time; that they would readily understand that in moving so far, and with so many commodities to move there still remained at the distant post on the Iroquois much of the best of his stock. He regretted especially that the stock of available "eau-de-vie" was very, very small—hardly enough to wet the collective whistles of the assembled throng but, such as he had, he gladly gave for there was nothing too good for a friend; whereupon he was greeted by a solitary "How!" that had all the earmarks of an exclamation of keen disappointment.

Thus LeVasseur saved the day. The amount of whiskey served was truly very small. He overcame their disappointment in a measure by giving to each one a small piece of plug tobacco whereupon they voted him a "regular fellow" and took their way homeward each one with the taste of firewater on his lips but sober—sober as a judge—and sorry for it!



Defense program endorses tribe for Blanket Program

Dear Mr. Holtz:

Please accept this letter of endorsement for the Citizen Potawatomi Nation to participate in the Department of Defense's Blanket Program.

As background, I am a senior policy/program analyst for the Office of Self-Governance within the Department of the Interior. This Office has the responsibility of administering the Tribal Self-Governance Program as authorized by Title IV of Pub. L. 93-638.

The Citizen Potawatomi Nation entered into a Compact of Self-Governance with the United States of America on the 16th day of September, 1998. The Compact is designed to carry out Tribal Self-Governance by transferring control to the Citizen Potawatomi Nation upon its request and through negotiation with the United States Government, over funding and decision making of specified federal programs, services, functions and activities as an effective way to implement the federal policy of government-to-government relations with the Nation.

As the Office of Self-Governance's negotiator and contact for the Citizen Potawatomi Nation, I have had the opportunity to work closely with the Nation as it operates under tribal self-

governance. My relationship with the Nation has resulted in a deep respect for the dedication and competency with which the Citizen Potawatomi Nation administers its programs for the benefit of eligible Indians within its service area. Many of its programs are designed to meet the basic needs of eligible individuals while preparing them for self-sufficiency.

I am particularly impressed with the Nation's integrity and innovative approaches it uses to deliver welfare, education, and employment related services to children, elders, and families with its service area. The Nation serves as a strong advocate for the progress of its people. Knowing how dedicated the Nation is to meeting the basic needs of its people, I am pleased to provide you with an unqualified endorsement for the Nation to participate in the Department of Defense's Blanket Program. There is no doubt in my mind that eligible Indians will receive great benefit from the Nation's participation.

Please do not hesitate to contact me if you have any questions or need further information about the Nation.

Kenneth Reinfeld
Office of Self-Governance

Federal government shuts down tribe's 'open door' pharmacy

The "Open Door" policy of the Tribe designed to provide medical and pharmacy benefits to the non-Indian dependents of Potawatomi tribal members has been "closed" by the Federal Government Office of the Inspector General (OIG). The door has also been closed for all non-IHS eligible employees of the Tribe who must now secure their prescription drugs from outside pharmacies at higher costs.

Recently, the Tribe was notified by the IHS that the Office of Inspector General had reviewed pharmacy programs under Indian Self-Determination. The OIG concluded that Tribes may not dispense drugs to non-Indians that have been purchased through Federal discount programs. Because of the high costs of pharmaceuticals, all drugs at the Citizen Potawatomi Nation pharmacy are purchased through a Federal discount program. Therefore, these pharmaceuticals can no longer be dispensed to non-Indians.

Chairman Barrett and the Business Committee immediately took steps to review and address this ruling. However, after consultation with several Tribes, expert legal consultants and the Oklahoma Area Indian Health Service, the Tribe has been forced to take this action in order to protect the entire health delivery system.

The OIG has taken action against several tribes across the Nation in order to force these changes. The OIG has sued the Pequot Tribe of Connecticut requesting a repayment of 5.8 million dollars for prescription drugs provided to over ten thousand non-Indian tribal employees. The OIG is also inspecting sixteen other tribes who have prescription contracts with the Pequot Tribe and may take action against those tribes as well.

The provision of medical exams and in-house lab work has not been impacted, at this point, by the OIG.

The Tribe regrets this action taken by the OIG and will make every effort to help ease the difficulties this will cause to the families we have been serving in the past.

COMPARE THE RECORDS... COMPARE THE QUALIFICATIONS!

EXPERIENCE! PROGRESS! TRADITION!

For years, John A. Barrett Jr. has worked hard to make the Citizen Potawatomi Nation the best Tribe it can be ... From enterprises to programs, from extending the vote to all members to bringing their government to them in Regional Councils, from honoring our traditions by establishing a real Potawatomi Festival to regularly recognizing our elders, John A. Barrett Jr. has been a leader in making the Citizen Potawatomi Nation what it is today. Let's keep the progress going by keeping him as chairman!

LET'S KEEP THE CHAIRMAN WHO GOT US WHERE WE ARE

JOHN A. BARRETT JR.

Paid For By John A. Barrett Jr., 1601 S. Gordon Cooper Dr., Shawnee, OK



THE CONSTITUTION OF THE CITIZEN POTAWATOMI NATION

THE CONSTITUTION OF THE CITIZEN POTAWATOMI NATION (Including the Charter of the Citizen Potawatomi Nation Incorporated)

PREAMBLE

We the Citizen Potawatomi Nation, sometimes designated as the Potawatomi Nation of Oklahoma, in furtherance of our inherent powers of self-government, in order to take advantage of the opportunities for economic independence and social advancement offered by the Thomas-Rogers Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967), do hereby adopt this Constitution pursuant to the Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967) which shall supersede that Constitution approved by the Secretary of the Interior on October 17, 1938, and ratified on December 12, 1938, and amended on September 27, 1956, December 27, 1960, April 24, 1961, September 21, 1970, April 20, 1983, and April 5, 1989, and April 8, 1996, with ratification.

ARTICLE 1 - NAME

The official name of this Tribe shall be the Citizen Potawatomi Nation.

ARTICLE 2 - OBJECTIVES

Section 1. The objectives of the Citizen Potawatomi Nation in organizing under this Constitution shall be:

- (a) To promote the general welfare of the Citizen Potawatomi Nation and its members by exercising to the fullest extent the inherent powers of self-government vested in the Tribe since time immemorial and any additional powers of self-government vested in the Tribe by federal or state law.
- (b) To secure for the Tribe and its members the powers, benefits, rights, and privileges provided for in the

Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967).

- (c) To secure the powers, benefits, rights, and privileges as provided by any laws of the United States now or hereafter enacted for the benefit of Indians or other citizens of the United States.
- (d) To secure, for the Citizen Potawatomi Nation, a Charter of Incorporation from the Secretary of the Interior that allows the Tribe to enjoy those powers specifically mentioned in the Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967).

ARTICLE 3 - MEMBERSHIP OF THE TRIBE

Section 1. The membership of the Citizen Potawatomi Nation shall consist of the following persons:

- (a) All persons of Indian blood who were bonafide members of the Citizen Potawatomi Nation and who were enrolled or were entitled to be enrolled on the official census roll of the Tribe as of January 1, 1937.
- (b) Each child of Citizen Potawatomi Nation Indian blood born since the date of said roll whose parents is or was a member of the Tribe.
- (c) Each child of Citizen Potawatomi Nation Indian blood of a marriage between a member of the Tribe and any other person.
- (d) As used in this Article, the term "a member of the Tribe" means a member of the Tribe at the time of the child's birth, or, in the case of a posthumous child, if membership rights are claimed through the deceased

parent, the parent was a member of the Tribe at the time of death.

- (e) The burden of proof as to the eligibility for membership in the Citizen Potawatomi Nation will be on the claimant for membership in each case.
- (f) The Business Committee shall have power to prescribe rules and regulations, subject to the approval of the Secretary of the Interior or his authorized representative, covering future membership including adoptions and the loss of membership.
- (g) Any member who is enrolled after May 5, 1989, who was not otherwise eligible for enrollment, shall not be eligible to participate in the Prosthetic Programs which was developed from Judgment Funds awarded in Dockets 15-K, 29-J, 217, 15-M, 29-K, and 146.

ARTICLE 4 - TRIBAL JURISDICTION

Section 1. The jurisdiction and governmental powers of the Citizen Potawatomi Nation shall, consistent with applicable Federal law, extend to all persons and to all real and personal property, including lands and natural resources, and to all waters and air space within the Indian Country, as defined in 18 U.S.C. Section 1151 or its successor, over which the Citizen Potawatomi Nation has authority.

Section 2. The jurisdiction and governmental powers of the Citizen Potawatomi Nation Indian Country shall also, consistent with applicable Federal law, extend outside the exterior boundaries of the Citizen Potawatomi Nation Indian Country to any persons or property which are, or as may hereafter be, included within the jurisdiction of the Citizen Potawatomi Nation under any laws of the Citizen Potawatomi Nation, any State, or the United States.

Section 3. The jurisdiction and governmental powers of the Citizen Potawatomi Nation shall be exercised by appropriate legislation enacted by the Tribe, to establish or provide for a tribal judicial system, a tribal law enforcement agency, and other appropriate administrative agencies of the Tribe.

ARTICLE 5 - CITIZEN POTAWATOMI NATION INDIAN COUNCIL

Section 1. There shall be a Citizen Potawatomi Nation Indian Council. The membership of the Citizen Potawatomi Nation Indian Council shall be all Citizen Potawatomi Nation Indians, 18 years of age or older who have not been adjudged incompetent by a court of competent jurisdiction.

Section 2. The Business Committee shall provide for the Citizen Potawatomi Nation Indian Council rules of procedure, subject to this Constitution, by appropriate legislation, and the Citizen Potawatomi Nation Indian Council shall exercise such authority and powers as are delegated to it by this Constitution.

Section 3. There is reserved to the Citizen Potawatomi Nation Indian Council the authority to approve all actions of the Business Committee, or to delegate specific authority to the Business Committee to take particular actions, prior to any such action of the Business Committee becoming effective, which results in:

- (a) the appropriation and budgeting of available tribal funds held in trust as the proceeds of any claim against the United States or from or as a result of any treaty obligation received from the United States including interest earned thereon for expenditure for the benefit of the Tribe;
- (b) the sale of any land or interest in lands, and in connection with the purchase of lands or interest in lands,

to authorize and cause to be executed a mortgage or encumbrance covering or extending to property not being purchased;

- (c) approval of any settlement of claim of the Citizen Potawatomi Nation against the United States.

ARTICLE 6 - EXECUTIVE OFFICERS

Section 1. The Executive Officers of the Tribe shall be the Chairman, Vice-Chairman, and a Secretary/Treasurer who shall serve for four (4) year terms of office and until their successors shall be qualified and installed in office.

Section 2. It shall be the duty of the Chairman to preside at all meetings of the Council and the Business Committee and perform all duties appertaining to the office, and the Chairman shall see that the laws of the Tribe are faithfully enforced. The Chairman shall have general supervision of the affairs of the Council and of the Business Committee.

Section 3. The Vice-Chairman shall perform the duties of the Chairman in his absence or during his incapacity to act, and shall undertake such other duties as may be assigned to him by the Chairman or by the law.

Section 4. The Secretary/Treasurer shall correctly record the proceeding of all meetings. He shall make out the order of the business for Chairman, shall notify all committees of their appointments, shall have custody of the records and all papers of the Council, which records and papers shall be open to inspection during business hours, in his presence, by any member of the Council desiring to read them. He shall keep a correct list of all members of the Council and a correct list of all the enrolled members of the Tribe, shall authenticate all accounts or orders of the Council and in the absence of the Chairman and Vice Chairman, shall call the meetings to order until a Chairman Pro Tern is selected. He shall render a written report at the annual meeting, and at the expiration of his term of office, the records and all papers in his possession shall be turned over to his successor. He shall issue notices of all meetings and conduct all general correspondence, as directed by the Council or Business Committee.

The Secretary/Treasurer shall receive and keep all moneys of the Council and an accurate account of receipts and disbursements. The Secretary/Treasurer shall keep all tribal moneys entrusted to his care in one or more tribal accounts as may be provided by legislation of the Business Committee, and all disbursements therefrom should be made by check. At any time that such account(s) shall amount to more than \$50.00, he shall file a bond satisfactory to the Business Committee and the Commissioner of Indian Affairs. The cost of such bond shall be paid out of tribal moneys.

ARTICLE 7 - BUSINESS COMMITTEE

Section 1. There shall be a Business Committee which shall consist of the Executive Officers as provided in Article 6 and two (2) Councilmen who shall serve for four (4) year terms and until their successors shall be qualified and installed in office.

Section 2. Subject to any limitations in this Constitution, and except for those powers expressly reserved to the Citizen Potawatomi Nation Indian Council by this Constitution, or delegated to another tribal entity by this Constitution, the Business Committee is empowered to enact legislation, transact business, and otherwise speak or act on behalf of the Citizen Potawatomi Nation in all matters of which the Tribe is empowered to act now or in the future, including the authority to hire legal counsel or

represent the Tribe, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior so long as such approval is required by Federal law.

ARTICLE 8 - RECALL

Section 1. The Business Committee shall enact a Recall and Removal Ordinance establishing the procedures to be followed in consideration of recall actions. Said Recall and Removal Ordinance shall contain the definitions of misconduct in office which shall subject a tribal officer to a recall election. Thereafter, this Ordinance may be amended or repealed only by the Council at an election conducted pursuant to Articles 10 or 13 of this Constitution. Such Ordinance shall provide that not more than two recall proceedings may be pending in the Court at any time. A recall proceeding shall not include more than one official, unless the Court consolidates two or more actions for a good cause shown.

(a) There shall be a Grievance Committee which shall consist of three members of the Citizen Potawatomi Nation Indian Council. The function of the Grievance Committee shall be to act as a fact finding body and to present the facts to the Courts of the Tribe in cases in which the Grievance Committee determines that there is probable cause to believe that misconduct in office had occurred.

- (1) The Grievance Committee, pursuant to such procedures as shall be provided in the Recall and Removal Ordinance, shall hear complaints of misconduct in office by members of the Business Committee or Judicial Officers of the Tribe. Upon showing of probable cause that misconduct in office has occurred, the Grievance Committee shall file and prosecute a civil action in the Court of the Tribe to determine and act upon such complaints, and shall undertake other such duties as it may be assigned by appropriate tribal law.

- (2) In any recall action filed by the Grievance Committee, the Court, pursuant to the rules of civil procedure, shall have power, to hear the evidence and to determine whether the act or acts of misconduct in office have been shown by clear and convincing evidence so that a recall election should be held. If the Court determines that a recall election should be held, a two-thirds (2/3) majority of those voting in a special election held pursuant to Article 12, Section 6, shall be necessary to recall the officer from his office. Any appeal taken of the judgment of the Trial Court ordering a recall election shall be expedited by the Supreme Court.

(b) If the Grievance Committee refuses to bring the action in the Court after a complaint is brought before them, the complaining party may proceed individually pursuant to this subparagraph (b) of this Article if he so desires. In the alternative, a complaining party, in his

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THE CONSTITUTION OF THE CITIZEN POTAWATOMI NATION

Continued From Previous Page

discretion, may bring an immediate court action pursuant to his subparagraph (b) without previous action by the Grievance Committee.

(1) The Court, pursuant to the rules or civil procedure, shall hear complaints brought by a person alleging misconduct in office by members of the Business Committee or Judicial Officers of the Tribe. The Court shall require, prior to hearing any such action, that the complaining party post a bond in such amount as the Court shall deem proper to guarantee the costs, damages, and attorney fees of the person complained of in the event that the recall action was filed without probable cause to believe misconduct in office had occurred or that the recall action was otherwise filed in bad faith.

(2) In any such recall action, the Court shall have power, to hear the evidence of the complaining party or parties and to determine whether the act or acts of misconduct in office have been shown by clear and convincing evidence so that a recall election should be held. If the Court determines that a recall election should be held, a two-thirds (2/3) majority of those voting in an election held pursuant to Article 12, Section 6, shall be necessary to recall the officer from his office. Any appeal taken of the judgment of the Trial Court ordering a recall election shall be expedited by the Supreme Court.

Section 2. No person may be recalled pursuant to this Article unless at least one hundred fifty (150) persons cast ballots in the recall election.

Section 3. Grievance Committee members may be recalled from office according to the same rules and procedures established in the Recall and Removal Ordinance except that the Business Committee shall act in the capacity of the Grievance Committee in such cases.

ARTICLE 9 - REMOVAL AND FORFEITURE

Section 1. Any elective body of the Tribe, and the Supreme Court in the case of any judicial officers, shall remove any of its members from office for misconduct in office, as defined in the Recall and Removal Ordinance, or upon conviction of such member by any court of competent jurisdiction of a felony or other offense involving dishonesty or moral turpitude, or if such member becomes ineligible to hold his office under this Constitution, by a unanimous vote of the remaining members of the body.

Section 2. Such removal action shall be taken only upon proof by clear and convincing evidence at a formal hearing during which a verbatim transcript and record of the proceeding is made, and at which the party complained of shall have the right to not less than thirty (30) days notice, the right to counsel at his own expense, the opportunity to cross examine witnesses against him, introduce any evidence

in his favor, and to otherwise be accorded due process of law.

Section 3. A person removed in such a proceeding shall have the right to appeal the removal directly to the Supreme Court upon the record established at the hearing. During such appeal, which shall be expedited by the Court, the officer shall be deemed suspended but not removed from office until a final decision of the Court. For purposes of this Article, removal of an Executive Officer from the Business Committee shall also be deemed a removal from his Executive Office whether or not stated in the removal action.

ARTICLE 10 - INITIATIVE AND REFERENDUM

Section 1. The members of the Citizen Potawatomi Nation shall have the authority to enact legislation consistent with this Constitution by petition to the Business Committee bearing the language of the proposed tribal law, the signatures, roll numbers, and current address of at least ten percent (10%) of the Citizen Potawatomi Nation Indian Council, residing in the Counties of Pottawatomie, Seminole, Pontotoc, McClain, Oklahoma, Lincoln, Cleveland, Okfuskee, State of Oklahoma, provided, that in the general election upon such proposed legislation which shall be called by the Business Committee within ninety (90) days of the receipt of a valid petition, a majority of the voters who cast ballots in such election vote in favor of the proposed legislation. Notice of such referendum election shall be given to the registered voters at least fifteen (15) days prior to such election. The Business Committee shall be bound by a vote enacting such proposed legislation into law from the date of the election at which such legislation was enacted until it expires by its own terms or until changed by voters at a subsequent election.

Section 2. The members of the Citizen Potawatomi Nation shall have the authority to reject any legislative action taken by the Business Committee by referendum petition to the Business Committee bearing the language of the tribal law sought to be rejected, the signatures, roll numbers, and current address of at least ten percent (10%) of the Citizen Potawatomi Nation Indian Council, residing within the Counties of Pottawatomie, Seminole, Pontotoc, McClain, Oklahoma, Lincoln, Cleveland, Okfuskee, State of Oklahoma, provided that in the general election upon such legislation which shall be called by the Business Committee within ninety (90) days of the receipt of a valid petition, a majority of the voters who casts ballots in such election vote against the legislation as enacted by the Business Committee. Notice of such initiative election shall be given to the registered voters at least fifteen (15) days prior to such election. If the legislation is rejected by such vote, that enactment is null and void as of the date of referendum.

ARTICLE 11 - COURTS

Section 1. The judicial power of the Citizen Potawatomi Nation is hereby vested in one Supreme Court consisting of seven (7) Justices and such inferior courts as may be established by Tribal law.

Section 2. The Courts of the Citizen Potawatomi Nation shall be courts of general jurisdiction and shall further have jurisdiction in all cases arising under the Constitution, Laws and Treaties of the Citizen Potawatomi Nation. The Supreme Court shall have original jurisdiction in such cases as may be provided by law, and shall have appellate jurisdiction in all cases.

Section 3. The Tribal Courts, in any action brought before them, shall have the power of judicial review, in appropriate cases, in order to

declare that legislative enactments of the Business Committee or the Council, are unconstitutional under the Constitution or prohibited by federal statutes and void. In such cases, the Court shall have the authority to declare such act void and to issue injunctive relief.

Section 4. The Supreme Court Justices and Tribal Court Judges shall be selected by the Business Committee and confirmed by the Citizen Potawatomi Nation Indian Council at a general election called for that purpose, and shall serve six (6) year terms and until their successor be duly confirmed and installed. At the expiration of such term, each Justice or Judge may, at his option, be considered for reconfirmation to a new term by the Council.

Section 5. Vacancies in Tribal Judicial Offices may be filled by appointment of the Business Committee for the remainder of the unexpired term. Such appointment shall be valid for not more than one hundred twenty (120) days unless the Citizen Potawatomi Nation Indian Council confirms the appointee to complete the remainder of the unexpired term. If no Citizen Potawatomi Nation Indian Council election is called to act upon such appointment within the one hundred twenty (120) day period, the appointment of that person shall not be renewed.

Section 6. This Article shall be effective upon enactment of enabling legislation by the Business Committee, and the installation in office of the first Justices and Judges selected according to this Article. Until this Article becomes effective, the judicial power of the Citizen Potawatomi Nation shall be exercised by the Court of Indian Offenses for the Anadarko Area Office jurisdiction, provided, that the Business Committee shall have the authority, until the effective date of this Article, to contract for the operation of the Court of Indian Offenses either separately or in conjunction with any other tribe or tribes within the jurisdiction of the Court, or to establish an interim tribal judicial system by legislation pursuant to 25 C.F.R., Section 11.1(d) (1983) or its successor.

ARTICLE 12 - ELECTIONS

Section 1. The Chairman, Vice-Chairman, Secretary/Treasurer and two (2) Councilman shall be elected for a four (4) year term of office and until their successors be qualified and installed in office by majority vote at an election to be conducted by secret ballot, with absentee voting, on the date of the annual Citizen Potawatomi Nation Indian Council meeting. All elections shall be conducted pursuant to an Election Ordinance adopted by appropriate legislation of the Citizen Potawatomi Nation Business Committee. At the time of their election they shall be: a member of the Citizen Potawatomi Nation Indian Council, not less than twenty-one (21) years of age, reside within the Counties of Pottawatomie, Seminole, Pontotoc, McClain, Oklahoma, Lincoln, Cleveland, or Okfuskee, State of Oklahoma, and not have been convicted of a felony or other crime involving moral turpitude in any court of competent jurisdiction within ten (10) years previous to the date of the election, unless pardoned.

Section 2. No person shall be allowed to run for, or hold, more than one elected tribal position at any one time.

Section 3. In order to provide for staggered terms of office, in the next regular election, following the adoption of this Amendment (April, 1989), the Councilman #2 position shall be filled in 1989 for a two (2) year term to 1991, and thereafter for four (4) year terms; the Councilman #1 position shall be filled in 1989 for a three (3) year term to 1992, and thereafter for four (4) year terms; in 1989 and thereafter the Chairman's position shall be filled for four (4) year terms; and in 1990 and thereafter, the

Vice-Chairman and Secretary/Treasurer positions shall be filled for four (4) year terms. The Grievance Committee members shall continue to be elected for two (2) year terms of office in the same sequence as in effect at the time this Amendment is adopted.

Section 4. The newly elected officers shall be installed immediately upon their election or 'at such time as may be provided in the Election Ordinance approved by the Council, or as soon thereafter as any period provided by law for a challenge to the election has expired or as soon thereafter as any dispute regarding the election be finally resolved as provided by law.

Section 5. The incumbent officers as of the date of adoption of this Constitution shall continue to serve until the normal expiration of their terms as provided for in Section 3 of this Article, and the election held upon expiration of those terms shall be the first regular election held pursuant to this Constitution.

Section 6. Special elections for the recall of Tribal Officials shall be conducted by an independent Election Board, to be established pursuant to an Election Ordinance prescribed by the Business Committee and concurred on by the Council, on order of the Court provided that at least one hundred fifty (150) persons must vote in order for the recall election to be valid. Other special elections shall be conducted by the Election Board as required in Article 10 or Article 13, or upon request by resolution of the Business Committee.

ARTICLE 13 - MEETINGS OF THE COUNCIL

Section 1. Annual meetings of the Citizen Potawatomi Nation Indian Council shall be held on the last Saturday of June of each year for receiving reports and any other business which may come regularly before the Council. The purpose of the Citizen Potawatomi Nation Council meetings shall be to give information and to discuss any matter pertaining to the Citizen Potawatomi Nation. Any actions taken with respect to the authority reserved to the Council by this Constitution shall be made only by subsequent election held in accordance with, and within the time specified in the Election Ordinance, which election shall be open to all members of the Council.

Section 2. Such meeting shall be held at the Tribal Office Building designated for that purpose at the Citizen Potawatomi Nation Capital Complex south of Shawnee, Oklahoma, unless some other point under the jurisdiction of the Citizen Potawatomi Nation is specifically designated in the call.

Section 3. Special meetings of the Council may be called at the discretion of the Chairman, and shall be called by him upon the written request of the majority of the Business Committee or the written request of one hundred fifty (150) members of the Council.

Section 4. The principal object of the special meeting must be stated in the call for same and may include the words, "and for the discussion of other business that may be presented." Unless these words are added, no other business can be discussed except for the object stated in the call. Any actions taken with respect to the authority reserved to the Council by this Constitution shall be made only by a subsequent election held in accordance with, and within the time specified in, the Election Ordinance, which election shall be open to all members of the Council.

Section 5. Notice of meetings of the Citizen Potawatomi Nation Council shall be given through all appropriate means by the Secre-

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THE CONSTITUTION OF THE CITIZEN POTAWATOMI NATION

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tary/Treasurer of the Business Committee at least ten (10) days prior to the date of such meeting.

Section 6. The agenda for each meeting of the Citizen Potawatomi Nation Council shall be compiled by the Business Committee. Following completion of discussion on all agenda items other tribal business may be discussed, subject to the requirements of Section 4 of this Article.

Section 7. As required, following the meetings of the Citizen Potawatomi Nation Council, the Election Board shall conduct an election pursuant to the Election Ordinance to decide the issues presented to the Council.

ARTICLE 14 - MEETINGS OF THE BUSINESS COMMITTEE

Section 1. The regular meetings of the Business Committee shall be held the last Thursday in February, May, August, and November unless otherwise provided by resolution.

Section 2. Special meetings of the Business Committee may be called by the Chairman at his discretion, and shall be called by him upon the written request of three (3) members of the Business Committee.

ARTICLE 15 - VACANCIES

Section 1. Any elected officer of the Citizen Potawatomi Nation who, during the term for which he is elected, is convicted of any felony, shall automatically forfeit his office. Any elected officer found guilty of a misdemeanor involving moral turpitude, gross neglect of duty, malfeasance in office or misconduct reflecting on the dignity and integrity of the tribal government, may be removed from office by majority vote of the Business Committee. Before any vote for removal from office is taken, such a member or officer shall be given a written statement of the charges against him at least five (5) days before the meeting of the Business Committee before which he is to appear, and he shall be given an opportunity to answer any and all charges at the designated meeting.

Section 2. The Chairman, subject to the approval of the majority of the remaining members of the Business Committee, whether or not the number of remaining members would constitute a quorum shall have the authority to appoint person to fill any vacancies in any elective office on an interim basis until the next regular election at which time a person shall be elected to serve the remainder of the unexpired term or for a new term in its regular order as the case may be.

Section 3. In case of vacancy in the office of Chairman, the Vice-Chairman shall succeed at once to the office of the Chairman until the next regular election at which time the office of Chairman shall be filled for the remainder of the unexpired term or for a new term in its regular order as the case may be.

Section 4. During the period in which the Vice-Chairman serves as Chairman under these circumstances, the Vice Chairman's office shall not be considered vacant and he/she shall return to serve the unexpired portion of his/her own term of office (in any) upon election and installation of a Chairman. Should the Vice-Chairman be elected, to the chairmanship, his vacancy shall be filled according to Article 12, Section 1.

ARTICLE 16 - RIGHTS OF PERSONS

Section 1. The Citizen Potawatomi Nation shall not:

- (a) Make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peace-

ably to assemble or to petition for a redress of grievances.

- (b) Violate the rights of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or the thing to be seized.

- (c) Subject any person for the same offense to be twice put in jeopardy.

- (d) Compel any person in any criminal case to be witness against himself

- (e) Take any private property for a public use without just compensation.

- (f) Deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense.

- (g) Require excessive bail, impose excessive fines, or inflict cruel and unusual punishment.

- (h) Deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law.

- (i) Pass any bill of attainder of ex post facto law.

- (j) Deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six (6) persons.

ARTICLE 17 - QUORUM

Section 1. Three (3) members of the Business Committee shall constitute a quorum at any meeting.

Section 2. One hundred fifty (150) members of the Citizen Potawatomi Nation Indian Council shall constitute a quorum to transact business at a meeting. Should a quorum not be achieved at a duly-called meeting of the Council, the Business Committee may initiate a referendum election on any agenda items which require action by the Council under the authority reserved to it by this Constitution. Such referendum election shall be conducted pursuant to the provisions of the Election Ordinance.

ARTICLE 18 - TRIBAL ENACTMENTS

Section 1. All final decisions of the Council on matters of temporary interest or matters relating to particular circumstances, officials, of individuals shall be embodied in resolutions. Every resolution of the Council shall begin with the words, "Now, therefore be it resolved by the Council of the Citizen Potawatomi Nation".

Section 2. All final decisions of the Business Committee on matters of temporary interest or matters relating to particular circumstances, officials, or individuals shall be embodied in resolutions. Every resolution of the Business Committee shall begin with the words, "Now, therefore be it resolved by the Business Committee of the Citizen Potawatomi Nation".

Section 3. All final decisions of the Council of the Citizen Potawatomi Nation upon ongoing matters necessary to the orderly administration of tribal affairs, or having general or continuing application shall be embodied in ordinances, which may be called statutes. Every Ordinance shall begin with the words, "Be it enacted by the Council of the Citizen Potawatomi Nation: "

Section 4. All final decisions of the Business Committee of the Citizen Potawatomi

Nation upon ongoing matters necessary to the orderly administration of tribal affairs, or having general or continuing application shall be embodied in ordinances, which may be called statutes. Every Ordinance shall begin with the words, "Be it enacted by the Business Committee of the Citizen Potawatomi Nation".

ARTICLE 19 - AMENDMENTS

Amendments of this Constitution may be proposed by a majority of the Business Committee or by a petition signed by thirty percent (30%) of the adult members of the Tribe, and if approved by the Secretary of the Interior, shall be submitted to a referendum vote of the members of the Tribe, and shall be effective if ratified by a majority vote.

ARTICLE 20 - SAVINGS CLAUSE

Any previous ordinances or resolutions enacted by the Tribe shall continue in full force and effect to the extent they are not in conflict with this Constitution unless revoked or amended in the future.

ARTICLE 21 - RATIFICATION

This Constitution, when approved by the Secretary of the Interior and ratified by a majority vote of the qualified voters of the Citizen Potawatomi Nation voting at an election called for that purpose by the Secretary of the Interior, in which at least thirty percent (30%) of those entitled to vote shall cast their ballots, shall be effective from the date of ratification.

CORPORATE CHARTER OF THE CITIZEN POTAWATOMI NATION A FEDERAL CORPORATION CHARTERED UNDER THE ACT OF JUNE 26, 1936

Whereas, the Citizen Potawatomi Nation constitutes a recognized tribe of Indians residing in Oklahoma, organized under a Constitution approved by the Secretary of the Interior or his authorized agent on the 17th day of October, 1938, and ratified by the voters of the Citizen Potawatomi Nation on the 12th day of December, 1938, pursuant to Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967), and thereafter amended from time to time.

Whereas, the said Tribe, by resolution of the Business Committee of the Citizen Potawatomi Nation duly authorized, has requested that a Charter of Incorporation be issued to the said Tribe, subject to ratification by a majority vote of the members of the Tribe;

NOW, THEREFORE, I/s/ Ross O. Swimmer, Assistant Secretary -Indian Affairs, by virtue of the authority conferred upon the Secretary of the Interior by the said Act of June 26, 1936, (49 Stat. 1967), and redelegated to me by 209 DM 8.3, do hereby issue this Charter of Incorporation to the Citizen Potawatomi Nation Incorporated, to be effective from and after such time as it may be ratified by a majority vote of the adult members of the Citizen Potawatomi Nation voting; provided that however, such election shall be void unless the total vote cast at least 30 percent (30%) of those entitled to vote.

ARTICLE I

CORPORATE PURPOSES

The corporate purposes of the Citizen Potawatomi Nation Incorporated shall be:

- (a) To define and safeguard the rights and powers of the Citizen Potawatomi Nation and its members.

- (b) To advance the standard of living through the development of tribal resources, the acquisition of new tribal land, the preservation of existing land holdings, the better utilization of land and the development of a credit program for the Tribe.

- (c) To promote in any other way the gen-

eral welfare of the members of the Citizen Potawatomi Nation.

ARTICLE II

NAME, MEMBERSHIP, AND ORGANIZATION

The name of this corporation shall be the Citizen Potawatomi Nation Incorporated. The membership of the corporation shall consist of all citizens of the Citizen Potawatomi Nation. Membership and any individual rights which may exist in corporate property, including the right to receive dividend or other payments upon disbursement, may not be alienated or otherwise transferred. The officers, government and management of the Citizen Potawatomi Nation Incorporated shall be as provided in this Charter and in the said Constitution and Ordinances of the Tribe pursuant to its Constitution.

ARTICLE III

CORPORATE POWERS

In addition to those powers and authorities contained in the Tribal Constitution, the Business Committee of the Citizen Potawatomi Nation, subject to any restrictions contained in the Tribal Constitution or federal statutes, and subject to the limitations of Articles IV and V of this Charter, shall have and exercise the following corporate powers as provided by Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936, (49 Stat. 1967):

- (a) To have succession by its corporate name perpetually.

- (b) To sue and allow the Incorporated Tribe or its agents to be sued by granting an express and unequivocal waiver of sovereign immunity; to complain and defend in any court at its discretion; provided, that however, the grant or exercise of such power shall not be deemed a consent by the tribe or by the United States to the levy of any judgment lien or attachment upon the property of the Tribe or the Incorporated Tribe other than income or chattels specially pledged or assigned subject to the consent of the Tribe.

- (c) To make and use a common seal and alter the same at pleasure.

- (d) To appoint such subordinate officers and agents as the business of the Incorporated Tribe may from time to time require, and allow them suitable compensation.

- (e) To enter into any obligations or contracts necessary or convenient to the transaction of its ordinary affairs for the corporate purposes herein set forth or for the creation and cooperation of tribal economic enterprises.

- (f) To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934, (48 Stat. 984), and Section 6 of the Act of June 26, 1936, (48 Stat. 1967), or from any other governmental agency, or other lending institution.

- (g) To deposit corporate funds in an interest-bearing account in any national, state or tribally-chartered bank whose deposits are federally insured by an agency, such as the Federal Deposit Insurance Corporation (FDIC); provided, that funds advanced from the Indian Credit Fund administered by the Bureau of Indian Affairs, or funds of the Tribe held in trust in the United States Treasury, shall be de-

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THE CONSTITUTION OF THE CITIZEN POTAWATOMI NATION

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posited with a bonded disbursing officer of the United States when required to do so.

- (h) To negotiate with federal, tribal, state or local governments and to advise or consult with the representatives of the Interior Department on all activities of the Department that may affect the Citizen Potawatomi Nation.
- (i) To employ legal counsel for the protection and advancement of the rights of the Tribe or the Incorporated Tribe and its members.
- (j) To prevent the sale, disposition, lease, or encumbrance of tribal lands, interests in land, or other tribal assets, including assets of the Incorporated Tribe without the consent of the Tribe.
- (k) To be advised by the Secretary of the Interior with regard to appropriation estimates or federal projects for the benefit of the Tribe prior to the submission of such estimates to the Office of Management and Budget, or its successor, and to Congress.
- (l) To make assignments of tribal land to members of the Tribe, to tribal agencies, and to corporations wholly owned by the tribe. To regulate the use of disposition of all such assignments.
- (m) To appropriate available tribal and Incorporated funds for public and governmental purposes of the Citizen Potawatomi Nation, to spend available funds appropriated for the use of the Tribe by the United States or any other funding agency, and to invest those funds not needed for immediate expenditure and available for investment in any federally-insured investment, or in notes secured by first mortgages at not more than ninety percent (90%) of appraised value, upon any real property located within the jurisdictional boundaries of the Citizen Potawatomi Nation.
- (n) To protect and preserve the property, natural resources, crafts and traditions of the Citizen Potawatomi Nation.
- (o) To purchase, take by gift, bequest or otherwise, own, hold, manage, operate, and dispose of property of every description, real and personal.
- (p) To issue bonds or other interests in corporate property in exchange for trust or restricted Indian lands, or other lands owned by tribal members within the tribal jurisdiction, subject to the approval of the Secretary of the Interior.
- (q) To delegate to subordinate bodies, committees, or offices, or to any co-operative association which is open to all members of the tribe, any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers and to rescind such delegations.
- (r) To exercise such further powers as may in the future be delegated to the Incorporated Tribe by the Tribe.
- (s) To exercise such further incidental powers, not inconsistent with the tribal Constitution, as may be reasonable and proper to the conduct of corporate business.
- (t) To engage in any business that will further the economic well-being of the members of the tribe not inconsistent

with law or any provisions of the Tribal Constitution or this Charter.

To enjoy any other rights or privileges secured to an Indian tribe organized under the Act of June 26, 1936, (49 Stat. 1967), including those rights and powers vested or recognized in an Indian Tribe by existing law, and any powers which may properly be vested in a body corporate under the laws of the State of Oklahoma not inconsistent with the Tribal Constitution or this Charter.

The foregoing expressed delegation of authority is supplemental to and expressive of a portion of the general authorities delegated to the Business Committee in the Tribal Constitution, and is designed and intended to take advantage of expressed delegations of authority from the Federal Government for tribes organized pursuant to the within noted Acts of Congress. This Charter shall therefore be interpreted in accordance with this intent, and shall not be deemed to constitute a limitation upon any power or authority which could be exercised by the Tribe pursuant to its Constitution without delegation of authority from the Federal Government, nor to allow any of the powers and authorities stated herein to be exercised in a manner prohibited by the Tribal Constitution or Federal law.

ARTICLE IV

LIMITATIONS OF CORPORATE POWERS

The foregoing corporate powers shall be subject to the following limitations:

- (a) No tribally-owned land held in trust by the United States, or subject to any restrictions upon alienation imposed by the United States shall ever be sold or mortgaged except pursuant to an Act of the Congress of the United States, and with the approval of the Business Committee and a two-thirds (2/3) vote of those voting at a General Council election called for the purpose of approving such action as provided in the Tribal Constitution.
- (b) Any lease, grazing permit or timber sale contract covering tribal land shall provide that the person to whom such lease, permit or contract is awarded, must conform to regulations issued by the Secretary of the Interior, and the term of such leases shall not exceed the term allowed by the Federal law.
- (c) No assignment of future income, other than assignments to the United States, shall be made for more than five (5) years in advance, provided that assignments of future income from specific operations may be made for more than thirty (30) years in advance if such assignment is given to secure a note or mortgage for the purchase or improvement for this specific operation whose income is assigned.
- (d) In any attorney's contract hereafter executed by the Tribe, the choice of attorneys and the fixing of fees shall be subject to the approval of the Secretary of the Interior or his authorized representative.
- (e) No distribution of corporate property among the members of the Tribe shall be made, except out of the net profits of corporate enterprises after all corporate debts then due have been paid, and due consideration given to future expenses.

ARTICLE V

DEPARTMENTAL REVIEW OF CORPO-

RATE ACTS

Until ten (10) years from the date of ratification of this Charter, or such other date as may be fixed pursuant to Article VI, the following corporate acts or transactions shall be valid only after approval by the Secretary of the Interior or his duly authorized representative:

- (a) Any resolution or ordinance governing the making of land assignments unless such assignment is revocable upon not more than 120 days' notice, and made to a tribal member, body corporate or politic of the Tribe created by tribal law; the use of eminent domain to acquire land within the reservation; or use of tribal land by individuals not entering into leases with the tribe pursuant to Federal law.
- (b) Any lease, grazing permit or other contract affecting tribal land, tribal minerals, or other tribal interest in land, unless such contract is revocable at will by the Tribe without penalty.
- (c) Any per capita distribution of corporate income to members of the Tribe, in excess of \$200 each in any one year.

ARTICLE VI

EXTENSION AND TERMINATION OF SUPERVISORY POWERS

At any time within ten (10) years after the ratification of this Charter, any power of review established by Article V may be terminated by the Secretary of the Interior with the consent of the Citizen Potawatomi Nation General Council. At or before the expiration of this ten-year period, the Secretary may propose a further extension of this period. Such proposed extension shall be effective unless disapproved by a two-thirds (2/3) vote of those voting at a duly called election of the Citizen Potawatomi Nation General Council within one (1) year from

the date of receipt of the Secretary's proposal, or prior to the expiration of the ten (10) year supervisory period, whichever is later.

ARTICLE VII

CORPORATE RIGHTS AND PROPERTY

Any rights and powers heretofore vested in the Citizen Potawatomi Nation, not referred to generally, expressly, or by implication in the Constitution or Charter of said Tribe, shall not be abridged, but may be exercised by the citizens of the Citizen Potawatomi Nation, through the adoption of appropriate Amendments to the Constitution or Charter of said Tribe. No property rights or claims of the Citizen Potawatomi Nation existing prior to the ratification of this Charter shall be in any way impaired by anything contained in this Charter. The tribal ownership of unallotted lands, whether or not occupied by any particular individual or agency, is hereby expressly recognized.

ARTICLE VIII

AMENDMENTS

This Charter shall not be revoked or surrendered except by an Act of Congress. Amendments to this Charter, not inconsistent with the Tribal Constitution, may be proposed by a majority vote of the Business Committee, or by a petition signed by thirty percent (30%) of the adult members of the Tribe. Such Amendments, if approved by the Secretary of the Interior, shall be submitted to referendum vote of all adult members of the Tribe entitled to vote, and shall be effective if ratified by a majority vote.

ARTICLE IX

RATIFICATION

This Charter, when approved by the Secretary of the Interior, shall be effective from and after the date of its ratification by a majority vote of the adult members of the Citizen Potawatomi Nation, provided, that at least thirty percent (30%) of the entitled voters shall vote.

Poetry Contest

The Citizen Potawatomi Nation will be hosting a poetry contest this Spring. If you are interested in entering, please contact Dennette Bare at 405-275-3121 or by e-mail at dbrand@potawatomi.org.



Potawatomi athlete excels

Craig Perry White, pictured with his grandfather Billy Perry White, plays offensive and defensive line for the Justin-Siena High School football team in Napa, California. The team won the North Coast Section Championship in December and Craig was selected to play on the All-County Team.

Craig maintains a 3.5 G.P.A. and is involved in community service work where he teaches Special Olympic Golf. No stranger to volunteering, Craig was selected as a finalist, his freshman year, in the Napa County Volunteer of the Year for the 300

plus hours he gave to his community.

Craig's grandfather plays an important role in his life. They spend time working together at Lions Club functions and playing golf. Craig is also a member of the varsity golf team at Justin-Siena High School, which won the SCAL Team Title this past year.

Besides playing sports, Craig is also very active in the St. Apollinaris Youth Group. He is a descendent of the Vieux and Melot families and lives with his mother, father and younger sister Lacie.

Jim Thorpe Honor Day May 26

The Jim Thorpe family and the Sac and Fox Nation will co-sponsor Jim Thorpe Honor Day, a family reunion and traditional Pow Wow, Saturday, May 26. It will be held at the Sac and Fox Nation Community Center, 5 miles south of Stroud, Oklahoma. The Honor Day is in recognition of Jim Thorpe being declared ABC's Wide World of Sports Athlete of the Century.

Activities will start at 9 a.m. with the showing of documentaries and the movie *Jim Thorpe All-American* with Burt Lancaster. A Thorpe Family Genealogical Tree will be formulated while scrap books, memorabilia, including Thorpe's pre-Olympic and Olympic medals, will be displayed. Family, friends and fans are encouraged to bring their own Thorpe family memorabilia. At noon a pot luck luncheon will be served. The Pow Wow sponsored by the Sac and Fox Nation will begin with Gourd Dancing at 3 p.m., a traditional Sac and Fox supper will be served at 5:30 p.m., with the Pow Wow of traditional and contemporary

dances starting at 7:30 p.m.

The Jim Thorpe Honor Day also recognizes and invites the people of Sac and Fox, Potawatomi, Kickapoo, and Menominee nations who are

Thorpe family ancestry. The public is invited. For information call Dagmar Thorpe at (405) 567-3679 or write 2213 West 8th Street, Prague, OK 74864.

Potawatomi Language Lessons

Bidgen!

Kwi jibdeben ne?

E'hé, nwi jibdeben.

Migwéché é byayen shoté édayan.

Ki wisen ne?

Ngi kish wisen.

Nomgé kwi nbwach'ewémen.

Migwéché

Jibdeben

E'hé

Wisen

Nomgé

Kwi nbwach'ewémen

Bidgen

Come in!

Do you want to sit down?

Yes, I'll sit down.

Thank you for coming to my home.

Have you eaten?

I have already eaten.

Let's visit awhile.

Vocabulary

Thank you

Sit down

Yes

Eat

A while

Let's visit

Come In

FORMER REGIONAL DIRECTORS STANDING UP AND STEPPING OUT IN SUPPORT OF ESTHER LOWDEN FOR CPN CHAIRWOMAN

Gary Bibb

Former N. California Reg. Dir.

Susan Campbell

Former Washington Reg. Dir.

E-mail: nokmis@yahoo.com

TIME FOR CHANGE

Norma Whitley

Former Colorado Reg. Dir.

E-mail: norma@olypen.com



TIME FOR CHANGE

Jennifer J. Porter

Former N. California Reg. Dir.

E-mail: JJPorter3@juno.com

Penny Bishop
Former Colorado Reg. Dir.

P.O. Box 454
Morrison, CO 80465
(303) 697-9889

Maryann Bell
Former Midwest Reg. Dir.
Turningpoint4u@aol.com

* Feel free to contact us for information.

<http://PotawatomisForChange.8m.net> (under construction)

Paid for by Jennifer Porter, 5033 Vannoy Ave., Castro Valley, CA 94546

In five minutes they will be on a school bus.
Somebody on the bus may ask them if they want to try drugs.



Now would be a good time to talk to them.

Who is your child's best friend? What does your child do for fun? What did your child do at school today? Does your child know about drugs? These are a few simple things that a parent should know about their child. Take the time to become involved with your children and communicate to our youth that drugs are not a part of our Native cultures.

For more information on talking to your kids about drugs, please call 1.800.788.2800.

Communication. The Anti-Drug.
Office of National Drug Control Policy
www.theantidrug.com



1-800-880-9880 • 275-3121
WWW.POTAWATOMI.ORG

HOW-NI-KAN

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Bouzho, Nicon (Hello, My Friends),

This Friday is the 250th anniversary of James Madison, the primary author of the United States Constitution and the Bill of Rights. Oddly, there is no monument to James Madison in Washington, D.C. This is particularly difficult to understand in light of the historical fact that without him, the two most celebrated men in terms of Washington D.C. monuments, George Washington and Thomas Jefferson, would not have succeeded. This is because without him, the generalship of George Washington and the Declaration of Independence of Thomas Jefferson, would not have been preserved in our republic, the United States, as we know today. The United States is the longest surviving republic on the planet because of the wisdom of James Madison.

Some say he was not a celebrated public figure because he was short, five feet four inches, and Washington and Jefferson were both six feet, two inches. Others say it was because he was a political radical, for his day. While what he wrote was radical then, it turned out to be enduring wisdom that saved our country, and made him one of our most essential "founding fathers."

Madison wrote in the Federalist Papers that "tyranny was the worst result of politics," and this tyranny was almost always a "tyranny of the majority." The form of government we call a republic, with elected representatives, is usually ruled by "factions." The more permanent the factions are, the more tyrannical the behavior of the government. So the best majority in a republican form of government, according to Madison, is made up of short-lived, unstable coalitions of minorities, sort of "temporary" factions. But how does this happen? How do we prevent the "tyranny" of permanent factions?

The solution, Madison said in the Federalist 10, is: "Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens." In other words, make it bigger. The more people elected in a republic, the more likely that tyrannical majority factions will not be able to rule it.

In the history of the Citizen Potawatomi Nation, we have seen the theories of James Madison proven in pure form. When we had the old constitution before 1948, we had a more of a pure democracy, not a republic. We elected members of a tribal government, but gave them virtually no power to speak for the tribe. Virtually nothing happened. It took us fourteen years after the passage of the Oklahoma Indian welfare Act to write our constitution and make up a tribal roll — fourteen years!



From The Chairman

By John A. "Rocky" Barrett

From 1948 to 1985, the tribal Constitution gave the Business Committee the power to "speak and act on behalf of the tribe in all matters"; in other words, our tribe was a republic. It was, and is, however, a very small "republic" in that only five people represent our entire Nation in its legislative body, the Business Committee. A "faction" need only be three people. Because of the potential permanency of such a small majority, our problem is with tyrannical "factions," as James Madison described them.

For those of you who have followed our history closely over the past 30 years, I am sure you remember the scandals and thefts and conflicts of interests. All too often in our history, a majority faction in our Business Committee has acted on behalf of the tribe in a reckless, unconstitutional, and sometimes even criminal, manner. In the past, the membership of our tribe voted immediately to remove these people, but only after the harm was already done. Tribal assets were lost, rights of members were violated, or contracts and obligations were not honored. So how do we guard against "tyrannical factions" in the future? I suggest we follow the advice of our countries' greatest political theorist and founding father of the United States Constitution, James Madison, and make it bigger.

Our Constitution must recognize the sixteen-year history of the Regional Councils. They are an essential part to our ability to govern by receiving face-to-face feedback about what our members want. They are not part of our Constitution. A faction in the Business Committee, only three people, could refuse to fund both the Regional Offices and the travel to them by denying the appropriation of money. If that happens, they will no longer exist.

I propose that we have a nineteen (19) member legislative body called the Grand Council of the Citizen Potawatomi Nation. It would have complete legislative control over all appropriations of money, the setting of tribal operating budgets, and tribal enactments and contracts. It would meet in person or over telecommunications capabilities that the tribe already has available. This would keep the out-of-state Grand Council members from having

to travel to Oklahoma for every meeting of the legislature. This would also let out-of-state members observe the Grand Council in action.

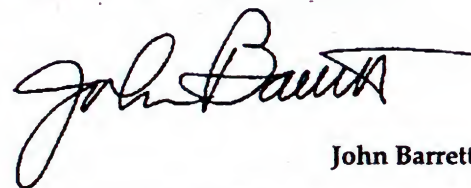
Ten Grand Council members would be elected from Oklahoma and one would be elected from each of the nine Regional Councils. Regions One and Two would be combined into one because of a small population. The members of the Grand Council would be presided over by the Secretary/Treasurer, who would have no vote, since he would be the authenticator of all legislative acts passed by the Grand Council and signed by the Chairman or Vice Chairman. He would also be the fixed signature on all tribal checks signed by the Chairman or Vice Chairman, and have custodial care of tribal trust funds as he does now. The Tribal Chairman would have veto power over acts of the legislative body, which could be overridden by thirteen members of the Grand Council.

The Chairman and the Vice Chairman, the executive branch of the tribe, would be removed from the legislative branch under this amendment. I believe this strengthens the "separation of powers" in tribal government as part of the system of

"checks and balances" to safeguard against abuse of government power. The Amendment would also provide that the Chairman, Vice Chairman, and Secretary/Treasurer be elected from our entire tribal population, with the requirement that they live here during their terms of office.

There are two ways that a Constitutional Amendment can be put to a vote of the people. It can be approved by a Business Committee Resolution and put on the ballot, a very simple method. If the Business Committee refuses to approve a Constitutional Amendment, then 20% of the adult members of the tribe, about 4000 people, must sign a petition. If the Business Committee does not approve of this amendment, I will mail each of you a copy of the amendment personally. In addition, a copy of a petition to be signed and sent back if you approve of the amendment will be included. This will be done at no cost to the tribe. I ask that you consider and study this amendment very carefully. There is presently no representation from the 80% of the tribe that lives outside of these few counties in Oklahoma. No one has been elected to the Business Committee under the age of 35 for 30 years. No one has been elected to the Business Committee over the age of 65 for 30 years. We need to give our people better opportunities for representation in tribal government.

Megwetch


John Barrett

Start making plans to attend the

8th Annual

Potawatomi Traditional Gathering &

Pow Wow scheduled for

August 2, 3, 4, & 5, 2001

Hosted by the Potawatomi Nation of Canada

Wasauksing First Nation

Parry Island, Parry Sound, Ontario, Canada

If you are interested in joining the Citizen

Potawatomi Nation for this occasion,

please contact Vickie Canfield or Cathie

Hanson at 405-275-3121 or 800-880-9880.